

Washington, Thursday, March 2, 1961

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Codification Guide

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Presidential Documents

Title 3—THE PRESIDENT

Executive Order 10924

ESTABLISHMENT AND ADMINISTRA-TION OF THE PEACE CORPS IN THE DEPARTMENT OF STATE

By virtue of the authority vested in me by the Mutual Security Act of 1954, 68 Stat. 832, as amended (22 U.S.C. 1750 et seq.), and as President of the United States, it is hereby ordered as follows:

Section 1. Establishment of the Peace Corps. The Secretary of State shall establish an agency in the Department of State which shall be known as the Peace Corps. The Peace Corps shall be headed by a Director.

SEC. 2. Functions of the Peace Corps.
(a) The Peace Corps shall be responsible for the training and service abroad of men and women of the United States in new programs of assistance to nations and areas of the world, and in conjunction with or in support of existing economic assistance programs of the United States and of the United Nations and other international organizations.

other international organizations.

(b) The Secretary of State shall delegate, or cause to be delegated, to the Director of the Peace Corps such of the functions under the Mutual Security Act of 1954, as amended, vested in the President and delegated to the Secretary, or vested in the Secretary, as the Secretary shall deem necessary for the accomplishment of the purposes of the Peace Corps.

SEC. 3. Financing of the Peace Corps. The Secretary of State shall provide for the financing of the Peace Corps with funds available to the Secretary for the performance of functions under the Mutual Security Act of 1954, as amended.

SEC. 4. Relation to Executive Order No. 10893. This order shall not be deemed to supersede or derogate from any provision of Executive Order No. 10893 of November 8, 1960, as amended, and any delegation made by or pursuant to this order shall, unless otherwise specifically provided therein, be deemed to be in addition to any delegation made by or pursuant to that order.

JOHN F. KENNEDY

THE WHITE HOUSE, March 1, 1961.

[F.R. Doc. 61-1924; Filed, Mar. 1, 1961; 12:28 p.m.]

Rules and Regulations

Title 41—PUBLIC CONTRACTS

Chapter 3-Department of Health, Education, and Welfare

PART 3-75-DELEGATIONS OF **AUTHORITY**

Subpart B—Delegatees and Specific Limitations

SOCIAL SECURITY ADMINISTRATION

Section 3-75.7(b) (1) (i) is amended to read as follows:

(i) Negotiate purchases under section 302(c) (6), (7), (8), (9), (11), (12), (13), and (14) or to make advance payments under section 305.

Dated: February 23, 1961.

RUFUS E. MILES, Jr., Administrative Assistant Secretary.

F.R. Doc. 61-1823; Filed, Mar. 1, 1961; 8:52 a.m.]

Title 46—SHIPPING

Chapter II—Federal Maritime Board, Maritime Administration, Department of Commerce

SUBCHAPTER C-REGULATIONS AFFECTING SUBSIDIZED VESSELS AND OPERATORS

General Order 74, Amdt. 31

PART 292-PROCEDURE TO BE FOL-LOWED BY OPERATORS IN THE RENDITION TO THE MARITIME AD-MINISTRATION OF ANNUAL AND FINAL ACCOUNTINGS UNDER OP-**ERATING-DIFFERENTIAL SUBSIDY AGREEMENTS**

Applicability of Procedure

Section 292.9 of this part is amended to read as follows:

§ 292.9 Applicability of procedure.

(a) Effective as of January 1, 1958, the procedure prescribed in this part shall not be applicable to accounting periods commencing on or after said date but shall be superseded by the procedure contained in Part 286 of this chapter pertaining to such accounting periods.

(b) All Account 090 items recorded in a complete calendar year subsequent to December 31, 1957, applicable to (1) accounting periods prior to January 1, 1958 shall be carried back to the applicable accounting period until such time as a final accounting for that accounting period shall have been submitted by the operator in accordance with the terms of this part; (2) accounting periods

within a terminated recapture period with respect to which periods final accountings have been submitted shall be carried back to the next open year of such terminated recapture period, until a final accounting is submitted for the last year of such terminated recapture period; and (3) accounting periods within a terminated recapture period with respect to which all final accountings have been submitted, or accounting periods within a current recapture period with respect to which accounting periods final accountings have been submitted, shall be absorbed in the earnings of the year in which recorded. The final accountings referred to in this part shall be submitted by the operator within six months after (i) the publication hereof, or (ii) the close of the calendar year in which all final operating-differential subsidy rates for such periods have been incorporated in the Operating-Differential Subsidy Agreement, whichever is later. Upon written request the Maritime Administrator may permit the acceleration of filing final accountings. (Sec. 204, 49 Stat. 1987, as amended; 46 U.S.C.

By order of the Maritime Administra-

Dated: February 20, 1961.

THOMAS LISI, Secretary.

[F.R. Doc. 61-1824; Filed, Mar. 1, 1961; 8:52 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER E-AIR NAVIGATION REGULATIONS

[Airspace Docket No. 61-WA-10]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, POSI-TIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Designation and Revocation of Reporting Points

The purpose of these amendments to §§ 601.7001, 601.7003, and 601.7004 of the regulations of the Administrator is to revoke the Park Ridge, N.J., Port Chester, N.Y., Poe, R.I., Ritter, S.C., and Gore, Tex., intersections as low altitude VOR reporting points, and to designate the Alice, Tex., intersection as a high altitude VOR reporting point and the Crockett. Calif., intersection as an intermediate altitude VOR reporting point.

Flight progress reports over designated locations, automatically initiated by pilots, facilitate air traffic management and assist the controller in the performance of his duties. However, due to the continuous modernization of the airway structure, the need for reporting points at particular locations is constantly being revised. The actions taken herein reflect this changing need on the part of air traffic management.

Since these amendments are of a procedural nature and do not assign or reassign the use of navigable airspace. notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) the following actions are taken:

1. In the text of § 601.7001 (14 CFR 601.7001, 25 F.R. 7489, 3814, 8861, 26 F.R. 1093) the following are revoked:

(a) Park Ridge INT: The INT of the uguenot, N.Y., VORTAC 129° True and Huguenot, N.Y.,

the Wilton, Conn., VOR 237° True radials.
(b) Port Chester INT: The INT of the Wilton, Conn., VOR 214° True and the

Wilton, Conn., VOR 214° True and the Huguenot, N.Y., VORTAC 119° True radials.

(c) Poe INT: The INT of the Nantucket, Mass., VOR 252° True and the Providence, R.I., VOR 149° True radials.

(d) Ritter INT: The INT of the Allendale, S.C., VOR 117° True and the Charleston, S.C., VORTAC 262° True radials.

(e) Gore Intersection: The intersection of the Culbertson, Tex., omnirange 012° True and the Salt Flat, Tex., omnirange 085° True

2. In the text of § 601.7003 (26 F.R. 1093) add:

Crockett INT: The INT of the Oakland, Calif., VORTAC 004° and the Linden, Calif., VORTAC 269° radials.

3. In the text of § 601.7004 (26 F.R. 1093) add:

Alice INT: The INT of the Laredo, Tex., VORTAC 086° and the Brownsville, Tex, VORTAC 337° radials.

These amendments shall become effective 0001 e.s.t., May 4, 1961.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on February 23, 1961.

D. D. THOMAS, Director, Bureau of Air Traffic Management.

[F.R. Doc. 61-1780; Filed, Mar. 1, 1961; 8:46 a.m.]

[Reg. Docket No. 648; Amdt. 206]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to standard instrument approach procedures contained herein are being adopted to become effective when indicated in order to promote safety. The revised procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the revised procedures specify the complete procedure and indicate the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice, procedure and effective date provisions of section 4 of the Administrative Procedure Act would be contrary

to the public interest and is therefore not required.

Pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 609 is amended as follows:

1. The low or medium frequency range procedures prescribed in § 609.100(a) are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, males an approach is conducted in accordance with a different procedure, results in the following instrument approach approach is conducted in accordance with a different procedure, shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition			Ceiling and visibility minimums				
		Course and distance	Minimum altitude (feet)		2-engin	More than 2-engine,	
From—	То			Condition	65 knots or less	More than 65 knots	
				T-dn C-dn A-dn	300-1 500-1 800-2	300-1 500-1 800-2	200-½ 500-1½ 800-2

Procedure turn S side W crs, 253° Outbnd, 073° Inbnd, 1600' within 10 miles. Beyond 10 miles NA.

Minimum altitude over facility on final approach crs, 1000'.

Crs and distance, facility to airport, 073—3.1.

It visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.1 miles turn right, climb to 1600' on W crs of AH-LFR

City, Alice; State, Tex.; Airport Name, Alice-Jim Wells County; Elev., 178'; Fac. Class., SBRAZ; Ident., AH; Procedure No. 1, Amdt. 7; Eff. Date, 4 Mar. 61; Sup. Amdt. No. 6; Dated, 26 Sept. 59

		Direct	1500 1200	T-dn C-dn S-dn-12 A-dn	300-1 400-1 400-1 800-2	500-1 400-1	200-½ 500-½ 400-1 800-2
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Radar Terminal Transition Altitude 1500' within 20 miles. Radar control will provide 1000' vertical clearance within a 3-mile radius or 500' verti

FRadar Fix 6.5 mi from HU-LFR may be used in lieu of HOU FM. If HOU FM not identified or Radar Fix not obtained on final, descent below 1500' NA.

City, Houston; State, Tex.; Airport Name, International; Elev., 50'; Fac. Class., SBRAZ; Ident., HU; Procedure No. 2, Amdt. 13; Eff. Date, 4 Mar. 61; Sup. Amdt. No. 12; Dated, 21 May 60

	T-dn 300-1	300-1 200-1/2
	C-dn 500-1 8-dn-20 400-1 A-dn 800-2	300-1 500-1 400-1 800-2 200-1/2 500-1/2 400-1 800-2

Procedure turn North side NE crs, 012° Outbnd, 192° Inbnd, 6500' within 10 mi.
Minimum altitude over facility on final approach crs, 5400'.
Crs and distance, facility to airport, 198°—2.2
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.2 mi, climb to 6500' on SW crs within 20 mi.
MAIOR CHANGE: Deletes transitions.

City, Idaho Falls; State, Idaho; Airport Name, Fanning Field; Elev., 4738'; Fac. Class., SBRAZ; Ident., IA; Procedure No. 1, Amdt. 7; Eff. Date, 4 Mar. 61; Sup. Amdt. No. 6; Dated, 20 Sept. 58

Clarksburg EM	SO-LFR. SO-LFR. SO-LFR. SO-LFR (Final).	Direct Direct Direct Direct	1200	T-dn C-dn A-dn	300-1 500-1 800-2	300-1 600-1 800-2	200-1/2 600-11/2 800-2

Radar transitions and vectoring using Mather Radar authorized in accordance with approved radar patterns.

Procedure turn E side SW crs, 198° Outhol, 018° Inbnd, 1200′ within 10 miles.

Minimum altitude over facility on final approach crs, 700′.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.5 miles, climb to 2500′ on NE crs within 20 miles or, 11 visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.5 miles, climb to 2500′ on NE crs within 20 miles or, 11 upon 11 upon 12 upon 12 upon 13 upon 13 upon 14 upon 15 upon 15 upon 15 upon 15 upon 16 upon

City, Sacramento; State, Calif.; Airport Name, Municipal; Elev., 21'; Fac. Class., SBMRAZ; Ident., SO; Procedure No. 1, Amdt. 10; Eff. Date, 4 Mar. 61; Sup. Amdt. No. 9; Dated, 4 Feb. 61

LFR STANDARD INSTRUMENT APPROACH PROCEDURE-Continued

	Transition			Ceiling and visibility minimums			
From—	то-	Course and distance	Minimum altitude (feet)		2-engin	More than 2-engine,	
				Condition	65 knots or less	More than 65 knots	2-engine, more than 65 knots
Salt Flat VOR	SQ-LFR	333—2.7	4800	T-dn	1000-1 1000-1 1000-1 1000-2	NA NA NA NA	NA NA NA NA

Procedure turn W side of N crs, 342° Outbnd, 162° Inbnd, 4900' within 10 miles. Beyond 10 miles NA.

Minimum altitude over facility on final approach crs, 4700'.

Crs and distance, facility to airport, 162°—2.3.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.3 miles, turn right climb to 7700 on W crs within

NOTE: This procedure not approved for ADF approach.
CAUTION: Terrain 4030' MSL approximately 2.5 miles WSW of airport.

City, Salt Flat; State, Tex.; Airport Name, FAA Intermediate; Elev., 3727'; Fac. Class., MRLZW; Ident., SQ; Procedure No. 1, Amdt. 5; Eff. Date, 4 Mar. 61; Sup. Amdt. No. 4; Dated, 28 Apr. 56

Layton FMSalt Lake City VOR	SC-LFR (Final)	Direct	6500	T-dn* C-dn S-dn-16L A-dn	300-1 500-1 400-1 800-2	300-1 600-1 400-1 800-2	200-½ 600-1½ 400-1 800-2
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Radar transitions and vectoring utilizing Salt Lake City Radar are authorized in accordance with approved radar patterns.

Procedure turn W side N crs, \$29° Outbind, 149° Inbind, 6500′ within 10 miles.

Minimum altitude over facility on final approach crs, 4900′.

Crs and distance, facility to Rumwy 161, 163°—2.3 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.3 miles, make a right climbing turn, climb to 9000′ on W crs SC-LFR within 20 mi. or, when directed by ATC, make a right climbing turn, climb to 9000′ in a right-hand one-minute pattern on the N crs within 10 mi.

SHUTPLE: TO 6500′ on N crs within 10 miles. All turns W of crs.

CAUTION 5000′ terrain 3 mi E of LFR. High terrain 8 mi E of N and S courses, and W of S crs of LFR. 4541′ radio tower 1.3 mi SE of LFR.

*500-2 required for takeoff Runway 7. Takeoff of aircraft of more than 65 knots Not Authorized Runway 7/25.

City, Salt Lake City; State, Utah; Airport Name, Salt Lake City No. 1; Elev., 4222'; Fac. Class., SBRAZ; Ident., SC; Procedure No. 1, Amdt. 9; Eff. Date, 4 Mar. 61; Sup. Amdt. No. 8; Dated, 16 May 59

TLH VOR.	TH LFR.	Direct	1500 1500	T-dn	300-1 500-1 800-2	300-1 500-1 800-2	200-½ 500-1½ 800-2
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Procedure turn 8 side of crs, 297° Outbnd, 117° Inbnd, 1300′ within 10 mi. Beyond 10 mi NA.

Minimum altitude over facility on final approach crs, 800′.

Crs and distance, facility to airport, 140°—2.4 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.4 miles, turn right, climb to 1300′, return to LFR visual 190° crs or, when directed by ATC, climb to 1500′ on 140° crs from TH LFR, proceeding to the TLH VOR via R-225 TLH VOR.

City, Tallahassee; State, Fla.; Airport Name, Tallahassee Municipal; Elev., 82'; Fac. Class., SBRAZ; Ident., TH; Procedure No. 1, Amdt. Orig.; Eff. Date, 4 Mar. 61 or upon commissioning date of new airport

PROCEDURE CANCELLED, EFFECTIVE 4 MARCH 1961, OR UPON DECOMMISSIONING OF LFR.

City, Winston-Salem; State, N.C.; Airport Name, Smith Reynolds; Elev., 969'; Fac. Class., SMRLZ; Ident., INT; Procedure No. 1, Amdt. 15; Eff. Date, 12 Nov. 55; Sup Amdt. No. 14; Dated, 27 Aug. 54

2. The automatic direction finding procedures prescribed in § 609.100(b) are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles un ess otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure, unless an approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure or such airport author zed by the Administrator of the Federal Aviat o Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

	Transition			Ceiling and visibility minimums			
From—	то—	Course and distance	Minimum alt tude (feet)	Condition	2-engin 65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots
FN-LFR FAT-VOR Bowles Int (LFR) Fowler Int (VHF)	LOMLOMLOMLOMLOMLOMLOMLOMLOMLOMLOM	Direct Direct Direct	2000 2000 2000 2000 2000	T-dn	300-1 500-1 400-1 800-2	300-1 500-1 400-1 800-2	200-½ 500-1½ 400-1 800-2

Procedure turn S side of crs, 108° Outbnd, 288° Inbnd, 2200′ within 10 mi. Beyond 10 mi NA. (Nonstandard due high terrain North.)

Minimum altitude over facility on final approach crs, 1500′.

Crs and distance, facility to airport, 288°—4.0 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 miles of LOM, climb to 1500′ on crs of 288°, turn

Left and climb to 2000′ on W crs of Fresno LFR within 20 miles or, when directed by ATC, climb Northwest-bound on R-130 to FAT-VOR. Continue climb to 1700′ on R-30′ within 20 miles.

City, Fresno; State, Calif.; Airport Name, Fresno Air Terminal; Elev., 331'; Fac. Class., LOM; Ident., FA; Procedure No. 1, Amdt. 10; Eff. Date, 4 Mar. 61; Sup. Amdt. No. 4 Dated, 10 Mar. 60

ADF STANDARD INSTRUMENT APPROACH PROCEDURE-Continued

Transition				Ceiling and visibility minimums			
From— To—	m-	Course and	Minimum		2-engin	More than 2-engine, more than 65 knots	
	distance	altitude (feet)	Condition	65 knots or less	More than 65 knots		
Salem Int	GON RBn	Direct	1600 1500	T-dn	300-1 500-1 500-1 NA	300-1 600-1 500-1 NA	200-½ 600-1½ 500-1 NA

Precedure turn South side of crs, 278° Outbind, 098° Inbind, 1500′ within 10 mi.

Minimum altitude over facility on final approach crs, 800′.

Crs and distance, facility to airport, 098°—2.8 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.8 mi of Groton MHW, make right climbing turn to Wand return to GON RBn. Hold South 098° Inbind right turns, one minute pattern.

CAUTION: Factory chimneys 206′ MSL located 1 mile West of airport and just North of centerline of approach crs.

NOTE: Facility must be monitored aurally during this procedure.

Alb CARRIER NOTE: No night operations on Runway 10–28 except takeoffs to the East.

*Alternate weather minimums of 800–2 authorized for those who have an approved arrangement for weather service at the airport.

City, Groton; State, Conn.; Airport Name, Trumbull; Elev., 10'; Fac. Class., MHW; Ident., GON; Procedure No. 1, Amdt. Orig.; Eff. Date, 4 Mar. 61

KS-LFR	Direct	2500 2500 2500 2500 2500 3000	T-dn C-dn A-dn	300-1 700-1 800-2	300-1 700-1 800-2	300-1 700-1 ¹ / ₂ 800-2
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Radar transition to final approach course authorized. Aircraft will be released for final approach without procedure turn on inbound approach course at least 3.0 mi from MKC LOM. Information for radar terminal area transition altitudes on Kansas City Radar procedure. Radar transition altitudes based on distance from radar site. Procedure turn West side of crs, 004° Outbnd, 184° Inbnd, 2500′ within 10 mi. NA beyond 10 mi. Minimum altitude over facility on final approach crs, 2500′. Crs and distance, LOM to Bluff FM, 184°—3.7 mi. Crs and distance, LOM to Bluff FM, 184°—3.7 mi. Crs and distance, LOM to Bluff FM, 184°—3.7 mi. Crs and distance, LOM to Bluff FM, 184°—3.7 mi. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles, or at Bluff FM, make right climbing turn, climb to 2500′ MSL and intercept 310° bring to Farley RBn, then proceed to and hold at Farley RBn or, when directed by ATC, (1) make right climbing turn, climb to 2500′ MSL on R-210 MKC-VOR within 25 mi. All CARRIER NOTES: No reduction in 2-engine takeoff minimum authorized when ILS is inoperative. 200-½ authorized on Runway 31 only. CAUTION: Obstruction 1423′ MSL 2.6 miles EE airport, 1946′ MSL tower 5.4 mi SE of airport, cracking plant 911′ MSL and stack 835′ MSL 0.5 mi ESE approach end of runway 33. TV tower 2049′ MSL 4.0 mi SSE airport. Takeoffs to S and SW when weather is below 1000-3 will intercept a 210° ADF crs from ILS LMM or R-185 MKC-VOR as soon as practicable. After takeoff maintain course until reaching 2500′ MSL prior to making left turn due to 2049′ MSL TV tower 4.0 mi SSE of airport. When KMBC TV tower is not visible (5.4 mi SE airport) on N, NE, E and SE takeoffs, climb to 2500′ MSL on 090° ADF crs from KS-LFR prior to turning towards tower. Radar transition altitudes are determined from radar site.

City, Kansas City; State, Kans.; Airport Name, Fairfax; Elev., 746'; Fac. Class., LOM; Ident., MK; Procedure No. 1, Amdt. 1; Eff. Date, 4 Mar. 61; Sup. Amdt. No. Orig. (ADF portion Comb. ILS-ADF); Dated, 28 May 55

PROCEDURE CANCELLED, EFFECTIVE 4 MARCH 1961. LFR PROCEDURE NO. 1 DUPLICATES THIS PROCEDURE.

City, King Salmon; State, Alaska; Airport Name, King Salmon; Elev., 52'; Fac. Class., LFR; Ident., KN; Procedure No. 1, Amdt. 1; Eff. Date, 4 July 59; Sup. Amdt No. Orig. (ADF portion of Comb. ILS-ADF); Dated, 2 July 55

Procedure turn West side of crs, 013° Outbnd, 193° Inbnd, 1300' within 10 mi. Beyond 10 mi NA.

Minimum altitude over facility on final approach crs, 1300'.

Ors and distance, facility to airport, 194°—5.2 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.2 miles after passing LOM, (1) Climb to 1500' on a 194° crs from the LOM within 15 mi, (2) Turn left, climbing to 1500' on a 165° crs from the LFT RBn or R-165 of LFT VOR within 15 mi.

City, Lafayette; State, La.; Airport Name, Lafayette; Elev., 43'; Fac. Class., LOM; Ident., LF; Procedure No. 2, Amdt. Orig.; Eff. Date, 4 Mar. 61

Procedure turn W side of crs, 349° Outbind, 169° Inbind, 1300′ within 10 mi.
Minimum altitude over facility on final approach crs, 800′; over Harbor FM, 600′.
Crs and distance, facility to airport, 169°—4.7 mi; Harbor FM to airport, 169°—2.8 mi.
Il visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.7 mi, turn right climbing to 1500′ on course of 270°,
intercept and proceed out 220° bring from PI RB m within 20 miles.
Il Harbor FM not received on final, descent below 600′ NA.
IRadar control must provide 1000′ clearance when within 3 miles or 500′ clearance when between 3–5 miles of radio towers 861′ MSL 19.5 mi ESE and 1135′ MSL 23 mi
ESE of airport.

City, St. Petersburg; State, Fla.; Airport Name, St. Petersburg Clearwater Intl.; Elev., 10'; Fac. Class., MH; Ident., PI; Procedure No. 1, Amdt. 1; Eff. Date, 4 Mar. 61; Sup. Amdt. No. Orig.; Dated, 4 July 59

3. The very high frequency omnirange (VOR) procedures prescribed in § 609.100(c) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From-	то—		Minimum		2-engine	e or less	More than
		Course and distance	altitude (feet)	Condition	65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots
Fairbanks Int	HOU FM (Final)#	Direct	1500	T-dn	300-1 400-1 800-2	300-1 500-1 800-2	200-½ 500-1½ 800-2

Radar terminal area maneuvering altitude all directions 1500'. Radar control will provide 1000' vertical clearance within a 3-mile radius or 500' vertical clearance within a 3-to 5-mile (inclusive) radius of 1232' TV tower 11 mi SSE, 1051' TV tower 11 mi SW, 755' TV tower 11 mi WNW, 753' TV tower 5½ mi NW, 610' structure 7 mi NE of air port. Radar may be used to position aircraft for a final approach within 5 miles of VOR, with elimination of a procedure turn.

Procedure turn W side of crs, 306° Outbod, 126° Inbod, 1800' within 10 mi of #HOU FM. Beyond 10 mi NA.

Minimum altitude over #HOU FM to n final approach crs, 1500'.

Crs and distance, HOU FM to airport, 126°—3.7 mi. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles of HOU FM (or within 0.0 mi of HOU-VOR if HOU-FM to tidentified or Radar Fix not obtained on final, climb to 2200' on HOU-VOR R-171 within 15 mi.

CAUTION: 1232' TV tower 11 mi SSE of VOR.

#Radar Fix A8 mi from HOU-VOR may be used in lieu of HOU FM. If HOU FM not identified or radar fix not obtained on final, descent below 1500' NA.

City, Houston; State, Tex.; Airport Name, International; Elev., 50'; Fac. Class., BVORTAC; Ident., HOU; Procedure No. 1, Amdt. 6; Eff. Date, 4 Mar, 61; Sup Amdt. No. 5; Dated, 28 Jan. 61

Layton FMSalt Lake City LFR	SLC-VOR (Final)	Direct	6500	T-dn# C-dn S-dn-16L-R A-dn	300-1 500-1 400-1 800-2	300-1 600-1 400-1 800-2	200-½ 600-1½ 400-1 800-2
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Radar transitions and vectoring utilizing Salt Lake City Radar are authorized in accordance with approved radar patterns.

Procedure turn W side crs, 329° Outbnd, 149° Inbnd, 6500′ within 10 miles.

Minimum altitude over facility on final approach crs, 4900′.

Crs and distance, facility to Runway 16R, 158°—2.9 mij, to Runway 16L, 149°—3.6 ml.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.6 miles, make a right climbing turn, climb to 9000′ on R-248 within 20 miles or, when directed by ATC, make a right climbing turn, climb to 9000′ in a right-hand one-minute pattern on R-329 within 10 miles.

SHUTTLE: To 6500′ on R-329 within 10 miles. All turns West.

CAUTION: 5000′ terrain 3 mi E of VOR. High terrain 8 mi E of N and S courses of LFR, and W of S crs of LFR. High terrain South. 4541′ radio tower 3 mi SE of VOR. #500-2 required for takeoff on Runway 7. Takeoff of aircraft of more than 65 knots Not Authorized on Runway 7/25.

City, Salt Lake City; State, Utah; Airport Name, Salt Lake City Municipal No. 1; Elev., 4222'; Fac. Class., BVORTAC; Ident., SLC; Procedure No. 1, Amdt. 6; Eff. Data, 4 Mar. 61; Sup. Amdt. No. 5; Dated, 1 Nov. 58

4. The terminal very high frequency omnirange (TerVOR) procedures prescribed in § 609.200 are amended to read in part:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautisal miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling	and visibili	ty minimum	18
From—	то—		Minimum		2-engin	e or less	More than 2-engine, more than
		Course and altitud (feet)		Condition	65 knots or less	More than 65 knots	more than 65 knots
COL-VOR	BLM-VORBLM-VORBLM-VOR	DirectDirect	1600 1600 1600	T-dn	300-1 500-1 400-1 NA	300-1 600-1 400-1 NA	200-½ 600-1½ 400-1 NA

Procedure turn East side of crs, 140° Outbud, 320° Inbud, 1600′ within 10 mi SE of BLM-VOR.
Facility on airport. Maintain 1600′ until after passing BLM FM inbud on final.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished over BLM-VOR, climb outbound on R-320 to 1000′ within 10 mi, then turn left, climbing to 1690′ and return to BLM-VOR.
MAJOR CHANGE: Delete note on civil aircraft landing.
*Descent below circling minimums not authorized if Belmar FM not identified inbound on final.

City, Belmar; State, N.J.; Airport Name, Monmouth County; Elev., 155'; Fac. Class., LVOR; Ident., BLM; Procedure No. Ter VOR-32, Amdt. 2; Eff. Date, 4 Mar. 65; Sup. Amdt. No. 1; Dated, 11 Feb. 60

	1/
T-dn 300-1 500-1 500-1 500-1 500-1 8-dn-3 800-2 800-2	200-14 500-11/ 500-1 800-2

Radar terminal transition altitude 2500' within 15 miles radius of Grannis Field. (Raleigh Approach Control.) Procedure turn South side of crs, 236° Outbnd, 056° Inbnd, 1300' within 10 miles.

Facility on airport.

Minimum altitude over facility on final approach crs, 700'.

Minimum altitude over facility on final approach crs, 700'.

Crs and distance, breakoff point to approach end of Runway 3, 034°—1.0 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile, turn right, climb to 1300' on R-090 within

Weather service not

*Alternate minima authorized for air carriers only; provided such air carriers have approval of their arrangement for weather service at this airport. Weather service not available to the general public.

City, Fayetteville; State, N.C.; Airport Name, Grannis Field; Elev., 188'; Fac. Class., L-BVOR; Ident., FAY; Procedure No. TerVOR-3, Amdt. Orig; Eff. Date, 4 Mar. 61

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE-Continued

	Transition			Ceiling	and visibili	ty minimum	S		
		Course and Minim		Course and Minimum			2-engine	or less	More than
From—	То	Course and distance	altitude (feet)	Condition	65 knots or less	More than 65 knots	2-engine, more than 65 knots		
IA-LFR.	VOR.	Direct	7000	T-dn C-dn S-dn-2 A-dn	300-1 500-1 400-1 800-2	300-1 500-1 400-1 800-2	200-1/2 500-11/2 400-1 800-2		

predure turn N side crs, 205° Outbud, 025° Inbud, 6000′ within 10 miles. Nonstandard due to high terrain East.

Procedure turn N side crs, 200° Outbind, 020° Inbind, 6000° within 10 miles. Nonstandard due to high terrain East.

Mimimum altitude over facility on final approach crs, 5100°.

Or and distance, breakoff point to Rnwy 2,020°—1.0 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile, climb to 6500° on R-012 within 20 miles or, when directed by ATC, a climbing left turn, return to VOR and climb to 7000° on R-196 within 20 miles.

City, Idaho Falls; State, Idaho; Airport Name, Fanning Field; Elev., 4738'; Fac. Class., BVOR; Ident., IDA; Procedure No. TerVOR-2, Amdt. 2; Eff. Date, 4 Mar. 61; Sup. Amdt. No. 1; Dated, 3 Dec. 60

	T-dn	1000-1 1000-1 1000-1 1000-2 NA	NA NA NA NA
Procedure turn W side of crs, 340° Outbnd, 160° Inbnd, 4900′ within 10 mi. I Minimum attitude over facility on final approach crs, 4700′. Facility on airport.	aithin 00 ani tuma airli		

recincy on appears. It is a stablished upon descent to authorized landing minimums or if landing not accomplished within 00 mi, turn right, climb to 7700 on R-261 within

CAUTION: Terrain 4030' MSL approximately 2.5 mi WSW of airport.
MAJOR CHANGE: Deletes transition from Salt Flat LFR.

City, Salt Flat; State, Tex.; Airport Name, FAA Intermediate; Elev., 3727'; Fac. Class., VORW; Ident., SFL; Procedure No. TerVOR-16, Amdt. 5; Eff. Date, 4 Mar. 61; Sup. Amdt. No. 4 (VOR Proc. No. 1); Dated, 28 Apr. 56

OAK-VOR. Int R-224 OAK and R-014 SFO-VOR.	Int R-224 OAK and R-014 SFO-VOR. SFO-VOR (Final)	Direct	1000 400	T-dn* C-dn S-dn-19L A-dn	300-1 500-1 400-1 800-2	300-1 600-1 400-1 800-2	200-½ 600-1½ 400-1 800-2
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Procedure turn not authorized. Except as authorized above, radar vectoring to final approach required. If radar contact not established during transition, proceed to the \$F0 LOM, hold southeast, one minute pattern, left turns, minimum altitude, 2000'. Final approach ers, 194° inbnd.

Minimum altitude over facility on final approach ers, 400'.
Crs and distance from break-off point to app end of Rnwy 191, 190°—0.7 mi.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile, make immediate left climbing turn to 2000' on R-101 within 10 miles.

Note: Circling minimums do not provide standard clearance W and SW of airport.

*300-1 required for takeoff runway 19L-R.

City, San Francisco; State, Calif.; Airport Name, International; Elev., 11'; Fac. Class., VOR; Ident., SFO; Procedure No. TerVOR-19L, Amdt. 6; Eff. Date, 4 Mar. 61; Sup. Amdt. No. 5; Dated, 4 July 59

5. The instrument landing system procedures prescribed in § 609.400 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles. If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition			Ceiling and visibility minimums					
	From— To— Course and distance Minimum altitude (feet)	Gaures and Minimum		Minimum		e or less	More than	
From-				Condition	65 knots or less	More than 65 knots	2-engine, more than 65 knots	
Charleston LFR	LOMLOM (Final)	Direct	1200 1200 1200	T-dn C-dn S-dn-15# A-dn	300-1 400-1 200-1/2 600-2	300-1 500-1 200-1/2 600-2	200-1/2 500-11/2 200-1/2 600-2	

Procedure turn W side NW crs, 329° Outbnd, 149° Inbnd, 1200' within 10 mi.
Minimum altitude at G.S. interception inbnd final, 1100'.
Altitude of G.S. and distance to approach end of Rnwy at OM, 1055'—3.7 mi; at MM, 233'—0.7 mi.
It visual contact not established upon descent to authorized landing minimums or if landing not accomplished turn left, climb to 2000' on R-149 of CHS VOR within 15
Outrons: Tower 1049' msl 10 mi SE.
#400-34 required when glide slope not utilized.

City, Charleston; State, S.C.; Airport Name, Charleston AFB/Mun.; Elev., 45'; Fac. Class., ILS; Ident., I-CHS; Procedure No. ILS-15, Amdt. 5; Eff. Date, 4 Mar. 61; Sup. Amdt. No. 4; Dated, 30 Oct. 59

ILS STANDARD INSTRUMENT APPROACH PROCEDURE-Continued

Transition			Celling and visibility minimums				
			Minimum		2-engin	e or less	More than
From—	то—	Course and distance	na altitude	tude Condition	65 knots or less	More than 65 knots	2-engine, more than 65 knots
Detroit LFR	Eloise Int*	Direct	2700 2700 2700 2700 2700 2700 2700 2700	T-dn C-dn S-dn-21R A-dn	300-1 500-1 500-1 800-2	300-1 500-1 500-1 800-2	200-1/2 500-11/2 500-1 800-2

Radar transition to final approach crs authorized. Aircraft will be released for final approach without procedure turn on inbnd final approach crs at least 3.0 ml from *Eloise Int. Refer to Willow Run Radar Procedure if detailed information on sector altitudes is desired.

Procedure turn W side NE crs, 032° Outbnd, 212° Inbnd, 2700′ within 10 ml of *Eloise Int.

No glide slope. No outer marker. No middle marker.

Minimum altitude over *Eloise Int on final approach crs, 2200′.

Crs and distance, *Eloise Int to airport, 212°—4.7 ml.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.7 ml, climb to 2000′ on SW crs ILS to LOM or, when directed by ATO, (1) make right turn, climb to 2000′, proceed to FRD RBn, (2) make left turn, climb to 2300′, proceed to Rockwood Int.

Note: Procedure NA unless aircraft equipped to receive ILS and VOR or ILS and ADF brngs simultaneously, unless radar fixes are obtainable at *Eloise Int.

*Eloise Int: Int NE crs ILS and 260° ADF brng to FRD RBn and SVM-VOR R-119.

City, Detroit; State, Mich.; Airport Name, Metropolitan Wayne County; Elev., 639'; Fac, Class., ILS; Ident., I-DTW; Procedure No. ILS-21R, Amdt. 3; Eff. Date, 4 Mar. 61; Sup. Amdt. No. 2; Dated, 31 May 56

Procedure turn S side of crs, 108° Outbnd, 288° Inbnd, 2200′ within 10 mi. Beyond 10 mi NA. (Nonstandard due high terrain North.)

Minimum altitude at G.S. interception inbnd, 1700′.

Altitude of G.S. and distance to approach end of Rnwy at OM, 1440′—4.0 mi; at MM, 516′—0.6 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb Northwestbound on FAT-VOR R-130 to FAT-VOR.

Continue climb to 1700′ on R-305 within 20 miles or, when directed by ATC, climb to 1500′ on NW crs ILS, turn left and climb to 2000′ on W crs of FN-LFR within 20 miles Norte: Narrow localizer course—4°.

#400-34 required with glide slope inoperative. 400-1 required when only localizer and either the outer marker or outer compass locator operative.

City, Fresno; State, Calif.; Airport Name, Fresno Air Terminal; Elev., 331'; Fac. Class., ILS; Ident., I-FAT; Procedure No. ILS-29, Amdt 11; Eff. Date, 4 Mar. 61; Sup. Amdt. No. 10; Dated, 20 Aug. 60

Kansas City LFR Kansas City VOR Kansas City VOR via R-131 Liberty RBN Liberty RBN Farley RBN Farley RBN Blue Springs VOR	LOM	Direct	2500 2500 2500 2500 2500 2500 2500 2500	T-dn	300-1 700-1 800-2	300-1 700-1 800-2	300-1 700-1½ 800-2
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Radar transition to final approach course authorized. Aircraft will be released for final approach without procedure turn on inbound approach course at least 3.0 miles from MKC LOM. Information for radar terminal area transition altitudes on Kansas City Radar procedure. Radar transition altitudes are determined from radar site. Procedure turn W side of crs, 004° Outbnd, 184° Inbnd, 2500′ within 10 miles. NA beyond 10 mi acccount ATC.

Minimum altitude at glide slope interception inbnd, 2500′.

Altitude of glide slope and distance to approach end of Runway at LOM, 2558′—4.4 mi; at Bluff FM, 1460′—0.7 ml.

Ors, Bluff FM to airport, 223°.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, make right climbing turn and intercept 310° brng to Farley RBn, then proceed to and hold at Farley RBn or, when directed by ATC, make right climbing turn, climb to 2500′ on SW crs KS-LFR within 25 miles, or if VHF equipped only, make right climbing turn, climb to 2500′ on R-210 MKC-VOR within 25 miles.

CAUTION: Obstruction 1423′ MSL 2.6 miles SE airport, 1946′ MSL tower 5.4 mi SE airport, cracking plant 911′ and stack 835′ MSL 0.5 mi ESE approach end Runway 35.

TV tower 2049′ MSL 4.0 mi SSE airport. Takeoffs to S and SW when weather is below 1000–3 will intercept a 210° ADF crs from ILS-LMM or R-185 MKC-VOR as soon as practicable. After takeoff maintain course until reaching 2500′ MSL prior to making left turn due to 2049′ MSL TV tower 4.0 mi SSE of airport. When KMBC TV tower is not visible (5.4 mi SE of airport) on N, NE, E, and SE takeoffs, climb to 2500′ MSL on 090° ADF crs from KS-LFR prior to turning towards tower.

AR CARRIER NOTES: NO reduction in 2-engine takeoff minimums authorized when ILS is inoperative except on Rnwy 31. 200–½ authorized on Runway 31 only.

City, Kansas City: State, Kans.; Airport Name, Fairfax; Elev., 746′; Fac. Class., ILS: Ident., I-MKC: Procedure No. ILS-22. Amdt. 1: Eff. Date, 4 Mar. 61; Sup. Amdt. No.

City, Kansas City; State, Kans.; Airport Name, Fairfax; Elev., 746; Fac. Class., ILS; Ident., I-MKC; Procedure No. ILS-22, Amdt. 1; Eff. Date, 4 Mar. 61; Sup. Amdt. No. Orig. (ILS portion Comb. ILS-ADF); Dated, 28 May 55

SBA VOR	LMM ILS W crs. LMM Naples Int /FM (Final)*	Direct R-163 Direct Direct	5000 3000 5000 1500	T-dn. C-dn. S-dn-7##. A-dn.	300-1 700-2 300-34 800-2	300-1 700-2 300-34 800-2	#300-34 700-2 300-34 800-2
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Procedure turn S side W crs, 253° Outbind, 073° Inbind, 3000′ within 10 mi of Naples Int/FM.

Minimum altitude at glide slope int inbind 2000′.

Altitude of glide slope at *Naples Int/FM, 1500′; at MM, 195′.

Distance to apprend of Rinwy from *Naples Int, 5.5 mi; from MM, 0.5 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb straight ahead to 800′, make climbing right turn and climb to 3000′ on crs of 165° from SBA LMM or on SBA VOR R-170 within 15 mi.

CAUTION: All maneuvering must be accomplished South of localizer course. High terrain to the North.

MAJOR CHANGE: Deletes transition from El Capitan FM.

*Naples Int: Int W crs ILS and GVO-VOR R-118 or SBA-VOR R-226.

#300-1 required on runways 3 L-R, 7, and 33 L-R, ##500-1 required with glide slope inoperative.

City, Santa Barbara; State, Calif.; Airport Name, Municipal; Elev., 14'; Fac. Class., ILS; Ident., SBA; Procedure No. ILS-7, Amdt. 7; Eff. Date, 4 Mar. 61; Sup. Amdt. No. 6; Dated, 6 Aug. 60

ILS STANDARD INSTRUMENT APPROACH PROCEDURE-Continued

Transition				Ceiling and visibility minimums				
From—	То—	Course and	Minimum		2-engin	More than		
		distance	altitude (feet)	Condition	65 knots or less	More than 65 knots	2-engine, more than 65 knots	
TUL VOR	LOM LOM LOM (Final)	Direct	2100 2200 2200 2200 2500	T-dn** C-dn S-dn-35R** * A-dn	300-1 400-1 200-1/2 600-2	300-1 500-1 200-1/2 600-2	#200-1/2 500-1/2 200-1/2 600-2	

Procedure turn E side S crs, 174° Outbnd, 354° Inbnd, 2500′ within 10 miles. Beyond 10 miles NA.

Minimum altitude at G.S. int inbnd 2500.

Altitude of G.S. and distance to approach end of rny at OM 2450—5.4, at MM 880—0.5.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 1900 on N crs ILS (354) within 20 miles, or when CAUTION: 1100′ tower 2.0 mi NW of LOM.

*300-1 required on rny 3L, 21R, 17R, 35L.

*400-¾ required when glide slope not utilized.

*Runway visual range 2600′ also authorized for landing and takeoff on Runway 35R; provided that all components of the ILS, high intensity runway lights, condenser discharge flashers, middle and outer compass locators and all related airborne equipment are operating satisfactorily. Descent below 874′ MSL shall not be made unless visual contact with the approach lights has been established or aircraft is clear of clouds.

City, Tulsa; State, Okla.; Airport Name, Municipal; Elev., 674'; Fac. Class., ILS; Ident., I-TUL; Procedure No. ILS-35R, Amdt. 9; Eff. Date, 4 Mar. 61; Sup. Amdt. No. 8; Dated, 4 Feb, 61

6. The radar procedures prescribed in § 609.500 are amended to read in part:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles. It radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (O) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

	Radar terminal area maneuvering sectors and altitudes						Ceiling	g and visibili	ty minimum	S							
From	То	Dist.		D: :											2-engin	e or less	More than
210111	10	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Dist. Alt.	Condition	65 knots or less	More than 65 knots	2-engine, more than 65 knots
0.00														S	urveillance a	pproach	
040 090 225. 285	090 225 285 040	5 5 5 5	1500 1500 1500 2100	10 10 10 10	2000 2000 3000 3200	15 15 15 15 15	3000 3500 3500 4500	20 20 20 20 20	4400 4500 4500 5000	25 25 25 25 25	5000 4500 5500 6000			T-dn C-dn-19-01* A-dn	300-1 1000-2 1000-2	300-1 1000-2 1000-2	200-14 1000-2 1000-2

All bearings are from the radar site with Sector Azimuths progressing clockwise.

Radar control will provide 1000' vertical clearance within a 3-mile radius or 500' vertical clearance within a 3- to 5-mile (inclusive) radius of 2365' Ester Dome Mountain 6

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished turn east of airport and climb to 2400'. Proceed direct to 71-IFR, then on E crs (060°) to Chena Int or, when directed by ATC, climb to 4000' on S crs ILS within 20 miles.

*All maneuvering East of airport—800' terrain within 1½ mi W of airport rising to 1000' within 2 mi.

*Runway 01: No radar final approach authorized from South.

*Runway 19: Minimum altitude, 6 mi—2500'; 5 mi—2350'.

City, Fairbanks; State, Alaska; Airport Name, Fairbanks International; Elev., 434'; Fac. Class., Fairbanks; Ident., Radar; Procedure No. 1, Amdt. 1; Eff. date, 4 Mar. 61; Sup. Amdt. No. Orig.; Dated, 16 Jan. 60

These procedures shall become effective on the dates specified therein.

(Secs. 313(a), 307(c), 72 Stat. 752, 749; 49 U.S.C. 1354(a), 1348(c))

Issued in Washington, D.C., on February 2, 1961.

GEORGE C. PRILL. Acting Director, Bureau of Flight Standards.

[F.R. Doc. 61-1141; Filed, Mar. 1, 1961; 8:45 a.m.]

[Reg. Docket No. 650; Amdt. 2071

PART 609-STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to standard instrument approach procedures contained herein are being adopted to become effective when indicated in order to promote safety. The revised procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the revised procedures specify the

complete procedure and indicate the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the potential exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the potential exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice, procedure and effective date provisions of section 4 of the Administrative Procedure Act would be contrary to the public interest and is therefore not required.

Pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 609 is amended as follows:

1. The low or medium frequency range procedures prescribed in § 609.100(a) are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, cours s and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition					Ceiling and visibility minimums				
	A		Minimum	Condition	2-engin	More than			
From—	То-	Course and distance	altitude (feet)		65 knots or less	More than 65 knots	2-engine, more than 65 knots		
Rio RBn	EP-LFR (Final)* EP-LFR EP-LFR EP-LFR	Direct Direct Direct	5200 5200 5200 5200 5200	T-dn C-dn S-dn-26 A-dn	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	200-1/2 500-11/2 400-1 800-2		

Radar terminal area maneuvering altitudes measured clockwise around radar antenna site: 335°-205°, 0-15 mi, 5000′; 15-20 mi, 7000′.

Radar control must provide 3 mi or 1000′ vertical separation; or 3 to 5 mi and 500′ vertical separation from stacks 4148′ 4 mi S; bill 5067′ 13 mi NE; bill 4651′ 9.5 mi E, and bill 6717′ 22 mi NE.

Procedure turn S side of crs, 078° Outbnd, 258° Inbnd, 6500′ within 10 mi. Beyond 10 mi NA.# (non-standard due to terrain N.).

Minimum altitude over facility on final approach crs, 5200′.

Crs and distance, facility to airport, 258° -4.0 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 mi, turn left to 125°, climb to 5200′, intercept and proceed on S crs within 20 miles or, when directed by ATC, turn left to 125°, climb to 6200′ on S crs within 20 miles.

*Maintain 7000′ until 5 mi W of Rio RBn. If Rio RBn not identified, maintain 8000′ to El Paso LFR.

City, El Paso; State, Tex.; Airport Name, International; Elev., 3936'; Fac. Class., SBRAZ; Ident., EP; Procedure No. 1, Amdt. 15; Eff. Date, 11 Mar. 61; Sup. Amdt. No. 14; Dated, 19 Mar. 60

	T-dn C-dn S-dn-11 A-dn	300-1 500-1 500-1 500-1 800-2 300- 500- 800-	1 500-1½ 1 500-1½

Procedure turn W side NW crs, 291° Outbnd; 111° Inbnd, 1200′ within 10 mi.

Minimum altitude over facility on final approach crs, 700′.

Crs and distance, facility to airport, 111°—1.1.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.1 mi, climb to 4500′ on SE crs King Salmon LFR within 20 mi or, when directed by ATC, climb to 1500′ on SW crs (205° outbnd, 025° inbnd) within 20 miles.

City, King Salmon; State, Alaska; Airport Name, King Salmon; Elev., 57'; Fac. Class., SBRAZ; Ident., KG; Procedure No. 1, Amdt. 11; Eff. Date, 11 Mar. 61; Sup. Amdt No. 10; Dated, 2 July 55

2. The automatic direction finding procedures prescribed in § 609.100(b) are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches hall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

	Transition					Ceiling and visibility minimums			
From-		Course and distance	Minimum altitude (feet)	Condition	2-engin	More than			
	То-				65 knots or less	More than 65 knots	2-engine, more than 65 knots		
El Paso VOR	LOMLOMLOMLOMLOMLOMLOMLOMLOMLOMLOMLOMLOMLOMLOM	Direct	5200 5200 5200 7000 5200	T-dn C-dn S-dn-22 A-dn	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	200-½ 500-1½ 400-1 800-2		

Radar terminal area maneuvering altitudes measured clockwise around radar site: 335° to 205°, 0-15 N mi, 5000′; 15-20 N mi, 7000′.
Radar control must provide 3 mi or 1000′ vertical separation; or 3 to 5 mi and 500′ vertical separation from stacks 4148′ 4 mi S; hill 5067′ 13 mi NE; hill 4651′ 9.5 mi E, and hill 6717′ 22 mi NE.
Procedure turn N side of NE crs, 038° Outbnd, 218° Inbnd, 6200′ within 8 mi. Beyond 8 mi NA. Nonstandard due to mountainous terrain NE.
Minimum altitude over LOM inbnd final, 4500′.
Crs and distance, facility to airport, 218°—3.8 mi.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles after passing LOM, turn left to 125°, climb to 5200′, intercept and proceed South on S crs LFR, or intercept and proceed South on R-151 ELP-VOR within 20 mi or, when directed by ATC, turn left to 125°, climb to 6200′, intercept and proceed South on S crs LFR, or intercept and proceed South on R-151 ELP-VOR within 20 mi.

City, El Paso; State, Tex.; Airport Name, International; Elev., 3936'; Fac. Class., LOM; Ident., EL; Procedure No. 1, Amdt. 16; Eff. Date, 11 Mar. 61; Sup. Amdt. No. 15, Dated, 28 Jan. 61

Rochelle Int* PLL-VOR. RFD-VOR Belvedere Int** JVL-VOR Malta Int	LOM	Direct 200 Direct 200 Direct 20 Direct 20 Direct ***25 Direct 20	7-dn	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	200-½ 500-1½ 400-1 800-2
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Procedure turn E side of crs, 182° Outbnd, 002° Inbnd, 2000′ within 10 miles.

Minimum altitude over facility on final approach crs, 1500′.

Crs and distance, facility to airport, 002° –4.5 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 mi after passing LOM, make left climbing turn 10 lof cross of the control of the

City, Rockford; State, Ill.; Airport Name, Greater Rockford; Elev., 734'; Fac. Class., LOM; Ident., RF; Procedure No. 1, Amdt. 4; Eff. Date, 11 Mar. 61; Sup. Amdt. No. 3; Dated, 4 June 60

ADF STANDARD INSTRUMENT APPROACH PROCEDURE-Continued

Transition					Ceiling and visibility minimums				
From—	То—	Course and distance	Minimum altitude (feet)	Condition	2-engin	More than 2-engine.			
					65 knots or less	More than 65 knots	more than 65 knots		
King Int	LOM	Direct Di	2400 2300 2300 2300 2200 1700	T-dn C-dn S-dn-33 A-dn	300-1 500-1 400-1 800-2	300-1 500-1 400-1 800-2	200-½ 500-½ 400-1 800-2		

Procedure turn South side of crs, 148° Outbud, 328° Inbud, 2300′ within 10 mi. Beyond 10 mi NA.

Mimimum altitude over facility on final approach crs, 1700′.

Crs and distance, facility to airport, 328°—3.9 mi.

If visual contact not established upon descent to authorized landing minimums of if landing not accomplished within 3.9 mi after passing LOM, turn left, climb to 2400′ returning to LOM direct or, when directed by ATC, turn left climbing to 2400′, proceeding to Yadkin Int via R-284 GSO-VOR.

CAUTION: 3107′ autenna 16.0 miles NW of airport.

City, Winston-Salem; State, N.C.; Airport Name, Smith-Reynolds; Elev., 969; Fac. Class., LOM; Ident., IN; Procedure No. 1, Amdt. 6; Eff. Date, 11 Mar. 61; Sup. Amdt. No. 5 (ADF portion Comb. ILS-ADF); Dated, 6 Aug. 60

3. The very high frequency omnirange (VOR) procedures prescribed in § 609.100(c) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

	Transition					Ceiling and visibility minimums				
From—	То—	Course and	Minimum		2-engin	More than				
		distance	altitude (feet)	Condition	65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots			
Cotulla BMH.	COT-VOR.	Direct	1600	T-dn	300-1 400-1 800-2	300-1 500-1 800-2				

Procedure turn N side crs, 075° Outbind, 255° Inbind, 1600′ within 10 mi. Beyond 10 mi NA.

Minimum altitude over facility on final approach crs, 1500′.

Ors and distance, facility to airport, 255°—5.0.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.0 miles after passing VOR, turn left, climb to 1600′ on R-185 within 20 mi.

CAUTION: 560' unlighted water tower 1 mi WSW.

City, Cotulla; State, Tex.; Airport Name, Cotulla Municipal; Elev., 471'; Fac. Class., BVOR; Ident., COT; Procedure No. 1, Amdt. 2; Eff. Date, 11 Mar. 61; Sup. Amdt. No. 1; Dated, 12 Feb. 55

El Paso LFR	Direct	7200 T-dn C-dn S-dn-26 A-dn	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	200-½ 500-1½ 400-1 800-2
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Radar terminal area maneuvering altitudes measured clockwise around radar antenna site: 335°-205°, 0-15 mi, 5000′; 15-20 mi, 7000′.
Radar control must provide 3 mi or 1000′ vertical separation; or 3 to 5 mi and 500′ vertical separation from stacks 4148′ 4 mi S; hill 5067′ 13 mi NE; hill 4651′ 9.5 mi E, and 671′ 22 mi NE.

nill 671/ 22 mi NE.
Procedure turn S side of crs, 080° Outbnd, 260° Inbnd, 6500′ within 10 mi. Beyond 10 mi NA. (Nonstandard due to terrain north.)
Minimum altitude over facility on final approach crs, 5200′.
Crs and distance, facility to airport, 259°—4.6.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 mi, turn left to 125° mag, climb to 5200′, intercept and proceed on R-151 within 20 mi. or, when directed by ATC, turn left to 125° mag, climb to 6200′, intercept and proceed on R-151 within 20 mi.

*Maintain 7000′ until 5 mi W of Rio RBn. If Rio RBn not received maintain 8000′ until over ELP-VOR.

City, El Paso; State, Tex.; Airport Name, International; Elev., 3936'; Fac. Class., BVOR; Ident., ELP; Procedure No. 1, Amdt. 11; Eff. Date, 11 Mar. 61; Sup. Amdt. No. 10; Dated, 19 Mar. 60

KG-LFR.	AKN-VOR	Direct	T-dn	300-1 500-1 500-1 800-2	300-1 500-1 500-1 800-2	200-1/2 500-11/2 500-11/2 800-2
			A-dn	800-2	800-2	800-2

Procedure turn S side of crs, 291° Outbnd, 111° Inbnd, 1200′ within 10 mi.

Minimum altitude over facility on final approach crs, 700′.

Ors and distance, facility to airport, 111°—3.7 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles, climb on R-111 AKN-VOR to 4500′ within minimum.

City, King Salmon; State, Alaska; Airport Name, King Salmon; Elev., 57'; Fac. Class., BVOR; Ident., AKN; Procedure No. 1, Amdt. Orig.; Eff. Date, 11 Mar. 61

4. The terminal very high frequency omnirange (TerVOR) procedures prescribed in § 609.200 are amended to read in part: TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition			Ceiling and visibility minimums				
	Course and	Minimum altitude	Condition	2-engine or less		More than 2-engine,	
		distance	(feet)		65 knots or less	More than 65 knots	more than 65 knots
				T-d. T-n. C-d. C-n. A-dn*	800-2 1400-2 1400-2 1900-3 2000-3	800-2 1400-2 1400-2 1900-3 2000-3	800-2 1400-2 1400-2 1900-3 2000-3

Procedure turn North side of crs, 053° Outbind, 233° Inbind, 4000′ within 10 miles.

Minimum altitude over facility on final approach crs, *2600′ day, 3100′ night.

Crs and distance, breakoff point to approach end of Rnwy 23, 228°—1.8 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile, make climbing left turn to 4500′ on crs 169°

V-VOR within 20 miles.

*If airport is used as an alternate do not descend below 3200′.

City, Montpelier; State, Vt.; Airport Name, Barre-Montpelier Municipal; Elev., 1162'; Fac. Class., BVOR; Ident., MPV; Procedure No. 1, Amdt. Orig.; Eff. Date, 11 Mar. 61

	T-dn C-d C-n S-d-36 S-n-36 A-dn	300-1 300-1 500-1 500-1 500-2 500-2 500-1 500-1 500-1 500-1 NA NA
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Procedure turn East side of crs, 174° Outbnd, 354° Inbnd, 2100′ within 10 miles.

Minimum altitude over facility on final approach crs, 1300′.

Crs and distance, breakoff point to Runway 36, 359°—0.2 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile, climb to 2100′ on R-307 OSH-VOR within 20

miles.
CAUTION: Runway lights on E/W, N/S runways only.

City, Oshkosh; State, Wis.; Airport Name, Winnebago County; Elev., 790'; Fac. Class., BVOR; Ident., OSH; Procedure No. TerVOR-36, Amdt. Orig.; Eff. Date, 11 Mar. 61

FIM-VOR. OXR-VOR#. SBA-VOR Int SBA R-128 and OAF R-249. Henderson Int**.	OAF-VOR Stack Int* Int SBA R-128 and OAF R-249 Stack Int* (Final) OAF-VOR	Direct	4000 3000 5000 %600 4000	T-dn	300-1 600-1 400-1 800-2	300-1 600-1 400-1 800-2	NA NA NA NA
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Procedure turn South side of crs, 249° Outbnd, 069° Inbnd, 2000′ within 10 miles of Stack Int.*

Minimum altitude over Stack Int* on final approach crs, 600′.%

Ors and distance, Stack Int to airport, 069°—1.9 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.9 mi of Stack Int, climb straight ahead to 1000′, turn right, climbing to 2000′ on R-249 of OAF-VOR within 20 mi.

NOTE: Dual VOR or VOR and ADF receivers required.

*NA except when directed by ATC.

*Stack Int: OXR R-281 or 119° brng to NTD RBn and OAF R-248.

**Henderson Int: Int FIM R-253 and OXR R-316.

**Weather service available from 0600 to 2030.

%Maintain 1000′ until passed OXR-VOR R-276 or a 109° brng to NTD RBn.

City, Oxnard; State, Calif.; Airport Name, Oxnard-Ventura County; Elev., 43'; Fac. Class., VOR; Ident., OAF; Procedure No. TerVOR-7, Amdt. Orig.; Eff. Date, 11 Mar. 64 or upon FAA certification of facility

$ \begin{array}{ c c c c c c c c c c c c c c c c c c c$	300-1 600-1 800-2	NA NA NA
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Procedure turn N side of crs, 056° Outbnd, 236° Inbnd, 3500′ within 10 mi. Beyond 10 mi NA.
Minimum altitude over facility on final approach crs, 1800′.
Crs and distance, facility to airport, 248°—5.4 mi.
It visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.4 mi, climb to 2000′ on R-248 within 20 miles.
#Weather service available from 0600 to 2030.
*Henderson Int: Int FIM R-253 and OXR R-316.

City, Oxnard; State, Calif.; Airport Name, Oxnard-Ventura County; Elev., 43'; Fac. Class., VOR; Ident., OAF; Procedure No. TerVOR-056, Amdt. Orig.; Eff. Date, 11 Mar. 61, or upon FAA certification of facility

		The state of the s
T-dnS-dn-21S-dn-21	300-1 600-1 000-1	aft equipped yed:

Procedure turn West side of crs, 021° Outbind, 201° Inbind, 2400′ within 10 miles.

Minimum altitude over Plover Int* on final approach crs, 1700′.

Crs and distance, Plover Int* to Runway 21, 201°—4.6 mi.

Crs and distance from Int of Runway centerline extended and final approach crs to apprend of Rnwy, 206°—0.3 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile, climb to 2400′ on R-125 STE-VOR.

CAUTION: 1400′ MSL tower located 3.6 mi ESE of airport.

*Plover Int: Int AUW-VOR R-157 and STE-VOR R-021.

City, Stevens Point; State, Wis.; Airport Name, Municipal; Elev., 1107; Fac. Class., BVOR; Ident., STE; Procedure No. TerVOR-21, Amdt. Orig.; Eff. Date, 11 Mar. 61

5. The very high frequency omnirange-distance measuring equipment (VOR/DME) procedures prescribed in § 609.300 are amended to read in part:

VOR-DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, nuless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

	Transition			Ceiling and visibility minimums			
From— To—				2-engin	e or less	More than	
From—	To-	distance	altitude (feet) Condition 65 knots or less More than 65 knots	2-engine, more than 65 knots			
15 mi fix R-259 8 mi fix R-259 10 mi fix R-079 0 mi fix R-325 R-325 R-278	8 mi fix R-259. 0 mi fix R-259. 0 mi fix R-079. 5.9 mi fix R-325. R-278	Direct Direct Direct Direct 5.9 orbit 5.9 orbit	8500 5200 5200 4500 4400 4300	T-dn	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	200-1/2 500-11/2 400-1 800-2

Procedure turn S side R079, 6500 within 10 miles. When authorized by ATC, DME may be used within 10 mi between radials 325 clockwise to 200 and 7300' to position aircraft for final approach, with the elimination of a procedure turn. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished turn left to heading of 125°, climb to 5200', intercept and proceed on R-151 within 20 mi.

City, El Paso; State, Tex.; Airport Name, International; Elev., 3936'; Fac. Class., BVOR-NSME; Ident., ELP; Procedure No. VOR-DME-17, Amdt. 4; Eff. Date, 11 Mar. 61; Sup. Amdt. No. 3; Dated, 19 Mar. 60

8 mi fix R-259 10 mi fix R-079 5 mi fix R-079	8 mi fix R-259 0 mi fix R-259 5 mi fix R-079 0 mi fix R-079 4.6 mi fix R-259 (Final-26)	Direct	5200 5200	T-dn	300-1 400-1 400-1 800-2	400-1	200-½ 500-½ 400-1 800-2
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Procedure turn S side R-079, 6500' within 10 miles. When authorized by ATC, DME may be used within 10 mi between radials 325 clockwise to 200 at 7300' to position aircraft for final approach, with the elimination of a procedure turn.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished turn left to heading of 125°, climb to 5200', intercept and proceed on R-151 within 20 mi.

#5200' without DME, in which case procedure turn is required.

City, El Paso; State, Tex.; Airport Name, International; Elev., 3936'; Fac. Class., BVOR-NSME; Ident., ELP; Procedure No. VOR-DME-26, Amdt. 3; Eff. Date, 11 Mar 61; Sup. Amdt. No. 2; Dated, 19 Mar. 60

15 mi fix R-259 8 mi fix R-259 10 mi fix R-079 0 mi fix R-200 R-200 R-247	8 mi fix R-259_ 0 mi fix R-259_ 0 mi fix R-079_ 5.8 mi fix R-200_ R-247_ R-257 (Final-35)	Direct	5200	S-dn-35 A-dn	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	200-1/2 500-11/2 400-1 800-2
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Procedure turn S side R-079, 6500' within 10 mi. When authorized by ATC, DME may be used within 10 mi between radial 325 clockwise to 200 at 7300' to position aircraft for final approach, with the elimination of a procedure turn.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished turn right to heading of 125, climb to 5200', intercept and proceed on R-151 within 20 miles.

City, El Paso; State, Tex.; Airport Name, International; Elev., 3936'; Fac. Class., BVOR-NSME; Ident., ELP; Procedure No. VOR-DME-35, Amdt. 4; Eff. Date, 11 Mar. 61; Sup. Amdt. No. 3; Dated 19 Mar. 60

6. The instrument landing system procedures prescribed in § 609.400 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedures, makes an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

	Transition			Ceiling and visibility minimums		ıs	
From—		Course and Minimum			2-engin	e or less	More than
From— To—		distance	altitude (feet)	Condition	65 knots or less	More than 65 knots	2-engine, more than 65 knots
AM-LFR. TDW RBn (LOM) Borger Int.	AMA-VOR. AMA-VOR.	Direct Direct	5000 5000 5000	T-dn	300-1 400-1 300-1 800-2	300-1 500-1 300-1 800-2	200-½ 500-1½ 300-1 800-2

Procedure turn South side of crs, 035° Outbind, 215° Inbind, 5000' within 10 mi. Beyond 10 mi NA. (Nonstandard due ATC requirements.)

Frocedure turn South side of crs, uso Outcome, 125 Mar. 10 Mar. 10 Mar. 10 Mar. 10 Mar. 10 Mar. 10 Mar. 11 Mar. 11 Mar. 11 Mar. 11 Mar. 12 Mar. 12 Mar. 12 Mar. 12 Mar. 13 Mar. 14 Mar. 15 Mar. 16 Mar. 17 Mar. 18 Mar. 19 Mar It visual contact not established upon descent to authorized landary and a miles.

NAMA-VOR lies 1000' NW of localizer course. Positive station passage required for descent below 4100'.

The agent's Fac. Class., ILS; Ident., I-A

City, Amarillo; State, Tex.; Airport Name, Amarillo AFB/Mun.; Elev., 3604'; Fac. Class., ILS; Ident., I-AMA; Procedure No. ILS-21, Amdt. Orig.; Eff. Date, 11 Mar. 61

ILS STANDARD INSTRUMENT APPROACH PROCEDURE-Continued

	Transition			Ceiling	and visibili	ty minimum	S
Marine Control Control	The Property Street	Minimum			2-engine	e or less	More than
From—	То—	Course and distance	altitude (feet)	me Condition 65 kno or les 00 T-dn 30 00 C-dn 40 00 S-dn-22* 20 00 A-dn 60	65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots
El Paso VOR. El Paso LFR. Int W crs EP-LFR and NE crs ILS. Newman VOR.	LOMLOMLOMLOMLOMLOMLOMLOMLOMLOMLOMLOMLOMLOMLOM	Direct	5200 5200 5200 5200 5200 7000	C-dn S-dn-22*	300-1 400-1 200-1/ ₂ 600-2	300-1 500-1 200-1/2 600-2	200-½ 500-1½ 200-½ 600-2

Radar terminal area maneuvering altitudes measured clockwise around radar site: 335° to 205°, 0-15 N mi, 5000′; 15-20 N mi, 7000′.

Radar control must provide 3 mi or 1000′ vertical separation; or 3 to 5 mi and 500′ vertical separation from stacks 4148′ 4 mi 8; hill 5067′ 13 mi NE; hill 4651′ 9.5 mi E, and hill 6717′ 22 mi NE.

Procedure turn N side of NE crs, 038° Outbnd, 218° Inbnd, 6200′ within 8 mi. Beyond 8 mi NA. Nonstandard due to mountainous terrain NE.

Minimum altitude at G.S. int inbnd, 5000′.

Altitude of G.S. and distance to appreend of Rnwy at OM, 5000′—3.8 mi; at MM, 4139′—0.5 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished turn left to 125°, climb to 5200′, intercept and proceed South on S crs LFR or intercept and proceed South on R-151 ELP VOR within 20 mi or, when directed by ATC, turn left to 125°, climb to 6200′, intercept and proceed South on R-151 ELP VOR within 20 mi.

MAJOR CHANGE: Deletes note pertaining to gilde slope touchdown point.

*Straight-in minima 400-34 when glide slope not used.

City, El Paso; State, Tex.; Airport Name, International; Elev., 3936'; Fac. Class., ILS; Ident., I-ELP; Procedure No. ILS-22, Amdt. 16; Eff. Date, 11 Mar. 61; Sup. Amdt. No. 15; Dated, 28 Jan. 61

MSY VOR. MSY LOM. Radar Vectoring Position. Bridge Int**	Kenner Int* Kenner Int* Bridge Int** (Final) Kenner Int* (Final)	DirectDirect	1400 1500 1500 1500 700 T-dn C-dn S-dn-28 A-dn	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	200-½ 500-1½ 400-1 800-2
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Radar terminal transition altitude 1500' within 25 miles. Radar control must provide 1000' vertical clearance within a 3-mile radius or 500' vertical clearance within a 3-mile radius or 500' vertical clearance within a 3-to 5-mile (inclusive) radius of 750' and 563' towers 12 miles SE of airport and 978' TV tower 16 miles E of airport. Radar may be used to position aircraft for a final approach within 5 miles of Kenner Int*, with the elimination of a procedure turn.

Procedure turn S side of ers, 099° Outhod, 279° Inhold, 2000' within 10 miles of Kenner Int. Nonstandard due to ATC requirements.

Minimum altitude over Bridge Int**, 1500'; over Kenner Int*, 700'.

Crs and distance, Bridge Int** to airport, 279°—2.9 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.9 miles after passing Kenner Int, climb to 1400' on R-320 MSY-VOR, all within 20 miles.

*Kenner Int: Int E crs ILS localizer and MSY-VOR R-195.

*Kenner Int: Int E crs ILS localizer and MSY-VOR R-165.

City, New Orleans; State, La.; Airport Name, Moisant International; Elev., 3'; Fac. Class., ILS; Ident., I-MSY; Procedure No. ILS-28, Amdt. 2; Eff. Date, 11 Mar. 6l, Sup. Amdt. No. 1; Dated, 4 June 60

Lakeville Int* South Bend LFR. South Bend VOR. Bristol Int via E crs ILS. Goshen LFR via crs 316° Goshen VOR via R-345 Long Lake Int. Long Lake Int.	LOM LOM LOM LOM (Final) E crs ILS E crs ILS E crs ILS LOM	Direct	2500 2200 2200 2000 2200 2200 2200 2200	T-dn	300-1 500-1 200-1/2 600-2	300-1 500-1 200-1/2 600-2	200-14 500-114 200-14 600-2
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Procedure turn North side of final approach crs, 089° Outbnd, 269° Inbnd, 2200′ within 10 miles.

Minimum altitude at glide slope int inbnd, 2000′.

Altitude of glide slope and distance to approach end of runway at OM, 1900′—3.8; at MM, 975—0.6.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2100′ on W crs SN-LFR or, when directed by C, (1) make right turn, climb to 2100′ on N crs SN-LFR; (2) make right turn, climb to 2000′ direct to SBN-VOR, maintain 2000′ on SBN-VOR R-002 within 15 mi. CAUTION: 1524′ MSL tower 5.6 mi South of LOM.

*Lakeville Int—Int R-170 SBN and R-270 GSH.

City, South Bend; State, Ind.; Airport Name, St. Joseph County; Elev., 778'; Fac. Class., ILS; Ident., I-SBN; Procedure No. ILS-27, Amdt. 12; Eff. Date, 11 Mar. 61; Sup. Amdt. No. 11; Dated, 29 Oct. 60

SK-LFRSCK-VORWoodward Int	LOMLOM	DirectDirect	1500	T-dn C-dn S-dn-29* A-dn	300-1 500-1 300-3/4 600-2	300-1 600-1 300-8/4 600-2	200-½ 600-1½ 300-¾ 600-2
			The property	Sales of the second second second			

Procedure turn S side SE crs, 111° Outbud, 291° Inbud, 1500′ within 10 miles of LOM. NA beyond 10 miles.

Minimum altitude at glide slope interception inbud, 1500′.

Altitude of glide slope and distance to approach end of runway at OM, 1528′—5.4 mi; at MM, 248′—0.6 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished make left climbing turn and climb to 2000′ on R-290 or, when directed by ATC, make left climbing turn and climb to 2000′ on W crs LFR within 15 mi.

*400-3⁄4 required when glide slope not used. 400-1 required when only localizer and LOM used.

City, Stockton; State, Calif.; Airport Name, Stockton; Elev., 27'; Fac. Class., ILS; Ident., SCK; Procedure No. ILS-29, Amdt., Orig.; Eff. Date, 11 Mar. 61, or upon com. of facility

King Int_ Greensboro VOR_ Pine Hall Int Thomas Int Wallburg Int	LOM	Direct	2300 2300	T-dn	300-1 500-1 300-3/4 600-2	300-1 500-1 300-3/4 600-2	200-½ 500-1½ 300-¾ 600-2
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Procedure turn South side of crs, 148° Outbind, 328° Inbind, 2300′ within 10 mi. Beyond 10 mi NA.

Minimum altitude at glide slope interception inbind, 2200′.

Altitude of glide slope and distance to approach end of Runway at OM, 2200′—3.9 mi; at MM, 1120′—0.5 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished turn left, climb to 2400′, returning to LOM direct or, when directed by ATO, turn left climbing to 2400′, proceed to Yadkin Int via R-284 GSO-VOR.

CAUTION: 3107′ antenna 16.0 miles NW of airport.

*No approach lights.

City, Winston-Salem; State, N.C.; Airport Name, Smith-Reynolds; Elev., 969'; Fac. Class., ILS; Ident., IINT; Procedure No. 1, Amdt. 6; Eff. Date, 11 Mar. 61; Sup. Amdt. No. 5 (ILS portion Comb. ILS-ADF); Dated, 6 Aug. 60

7. The radar procedures prescribed in § 609.500 are amended to read in part:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles miles miles otherwise indicated, except visibilities which are in statute miles.

If and instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified miles with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue on final approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

	Transition			Ceilin	g and visibili	ty minimum	s
From	To.	Course and	Minimum	Condition	2-engin	e or less	More than
From—	10-	To— Course and distance			65 knots or less	More than 65 knots	2-engine, more than 65 knots
All directions.	Radar site	Within 20 mi	*1500	T-dn. C-dn. S-dn-7, 25, 31 A-dn.	urveillance a 300-1 500-1 500-1 800-2	pproach 300-1 500-1 500-1 800-2	200-½ 500-1½ 500-1 800-2

*Radar control will provide 1000' vertical clearance within a 3-mile radius or 500' vertical clearance within a 3- to 5-mile (inclusive) radius of 749' tower 6.5 miles WSW, 687' tower 6.5 miles WSW, 687' tower 6.5 miles WSW, 687' in which is a stablished upon descent to authorized landing minimums or if landing not accomplished—Runway 7: Climb to 1300' on ORL-VOR R-070 within 20 miles. Runways 25 and 31: Climb to 1700' on ORL-VOR R-305 within 20 miles.

City, Orlando; State, Fla.; Airport Name, Orlando; Elev., 113'; Fac. Class., Orlando; Ident., Radar; Procedure No. 1, Amdt. Orig.; Eff. Date, 11 Mar. 61

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted nation accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

-		Radar terminal area maneuvering sectors and altitudes								4	Ceiling	g and visibili	ty minimum	S			
From	То	Dist.	Alt.	Dist.	4.77			disc. if	18 18 18 18 18 18 18 18 18 18 18 18 18 1	10 公司					2-engin	e or less	More than
-1011	10	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Condition	65 knots or less	More than 65 knots	2-engine, more than 65 knots
00	360	40	8000											T-dn#	300_1	200.1	200-12
														C-dn S-dn-9 A-dn	800-2 800-2 700-2 700-2	800-2 700-2 1000-2	800-2 700-2 1000-2

Radar transitions and vectoring utilizing Miramar Radar authorized in accordance with approved Radar patterns and sector altitudes.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished make left climbing turn to 2500' on SAN-VOR R-325 to 2500-1 required for takeoff on all runways except 27.

City, San Diego; State, Calif.; Airport Name, Lindbergh Field; Elev., 15'; Fac. Class., Miramar; Ident., Radar; Procedure No. 1, Amdt. Orig.; Eff. Date

	-			Mark Committee			No. of the last of	No. of the last of the			11. Daw, 11	Mar. UI
00	360	40	8000						T-dn#	300-1	300-1	000 14
		The state of						370	C-dn A-dn	800-2 1000-2	800-2 1000-2	200-1/ ₂ 800-2 1000-2

Radar transitions and vectoring utilizing Miramar Radar authorized in accordance with approved radar patterns and sector altitudes.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished make right climbing turn to 2500' on SAN-VOR R-325 to #500-1 required for takeoff on all runways except 27.

City, San Diego; State, Calif.; Airport Name, Lindbergh Field; Elev., 15'; Fac. Class., Miramar; Ident., Radar; Procedure No. 2, Amdt. Orig.; Eff. Date, 11 Mar. 61

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Cellings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final anding minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller, (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

	Ceiling	and visibili	ty minimum	S
Transition		2-engine	More than	
	routes to San Francisco area. r approach patterns. T-dn* Surveillance approach S-dn 19L-R S-dn 28L-R C-dn# S00-1 R-dn Precision approach T-dn* T-dn* S00-1 R00-2 Precision approach	More than 65 knots	2-engine, more than	
Minimum altitude—5000' within 30 miles or minimum enroute altitude for approved routes to San Francisco area. After identification, aircraft may be vectored and descended in accordance with Radar approach patterns.	T-dn* S-dn 19L-R S-dn 28L-R C-dn# A-dn	300-1 500-1 400-1 500-1 800-2 Precision ap	300-1 500-1 400-1 600-1 800-2	200-½ 500-1 400-1 600-1½ 800-2
	S-dn-28R S-dn-28L A-dn	200-1/2 300-8/4 600-2	200-1/2	200-1/2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished: (1) For runways 28 L-R, climb to 3000' on SFO TVOR R-287 within 20 miles of TVOR or, when directed by ATC, climb to 3000' on a crs of 292° within 20 miles from the SFG RBn. (2) for runways 19 L-R, turn left and home on SFO LOM climbing to 2000.

CAUTION: Circling minimums do not provide standard clearance west and southwest of airport.

*300-1 required for takeoff on Runways 19L-R.

City, San Francisco; State, Calif.; Airport Name, International; Elev., 11'; Fac. Class., San Francisco; Ident., Radar; Procedure No. 1, Amdt. 5; Eff. Date, 11 Mar. 61; Sup. Amdt. No. 4; Dated, 7 Feb. 59

These procedures shall become effective on the dates specified therein. (Secs. 313(a), 307(c), 72 Stat. 752, 749; 49 U.S.C. 1354(a), 1348(c))

Issued in Washington, D.C., on February 7, 1961.

GEORGE C. PRILL. Acting Director, Bureau of Flight Standards.

[F.R. Doc. 61-1242; Filed, Mar. 1, 1961; 8:45 a.m.]

[Reg. Docket No. 660; Amdt. 208]

PART 609-STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to standard instrument approach procedures contained herein are being adopted to become effective when indicated in order to promote safety. The revised procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the revised procedures specify the

complete procedure and indicate the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice, procedure and effective date provisions of section 4 of the Administrative Procedure Act would be contrary

to the public interest and is therefore not required.

Pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 609 is amended as follows: 1. The low or medium frequency range procedures prescribed in § 609.100(a) are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Cellings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approachs shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

	Transition			Candition			8
From—	То—	Course and distance	Minimum altitude (feet)	Condition		More than 65 knots	More than 2-engine, more than 65 knots

PROCEDURE CANCELLED, EFFECTIVE 18 MARCH 1961, OR UPON DECOMMISSIONING OF FACILITY.

City, Bowling Green; State, Ky.; Airport Name, Bowling Green-Warren County; Elev., 540'; Fac. Class., SBRMAZ; Ident., BG; Procedure No. 1, Amdt. 6; Eff. Date, 10 Dec. 60; Sup. Amdt. No. 5; Dated, 1 Apr. 54

McDonald Pass FM HLN-VOR Winston FM	HN-LFR HN-LFR HN-LFR (Final)*	Direct	8500 8000 6000	T-d	500-2 800-2 1600-2 1600-3 2000-2 2000-3	500-2 800-2 1600-2 1600-3 2000-2 2000-3	500-2 800-2 1600-2 1600-3 2000-3 2000-3
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Procedure turn North side SE crs, 100° Outbnd, 280° Inbnd, 8000′ within 10 miles. NA beyond 10 miles.

Minimum altitude over facility on final approach crs, 6000′.

Ors and distance, facility to airport, 251°—1.7.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.7 miles, make right climbing turn to SE crs, climb to 8000′ within 10 miles of HN-LFR.

*Maintain at least 8500′ until 1.2 mi past Winston FM.

City, Helena; State, Mont.; Airport Name, Helena County-City; Elev., 3882'; Fac. Class., SBMRAZ; Ident., HN; Procedure No. 1, Amdt. 7; Eff. Date, 18 Mar. 61; Sup-Amdt. No. 6; Dated, 25 Feb. 61

LFR STANDARD INSTRUMENT APPROACH PROCEDURE-Continued

Control of the Contro	Transition			Ceiling	and visibili	ty minimum	S
From-	то—	Course and	Minimum			or less	More than
rrom-	- 10-	distance	altitude (feet)	Condition	65 knots or less More than or less 65 knots 65 knots 65 knots 65 knots 65 knots 665	2-engine, more than 65 knots	
California FM	OA-LFR (Final)	Direct	1900	T-dn# C-d C-n S-d-14L S-n-14L A-dn	600-1 600-1½ 400-1 400-1½	700-1 700-1½ 400-1 400-1½	400-1

Radar transitions authorized all sectors 2600' except 2700' within 3 mi of 1739' tower 4 mi West and 2700' within 3 mi of 1746' tower 3 mi SW of airport.

Procedure turn W side of N crs, 334° Outbnd, 154° Inbnd, 2800' within 10 mi.

Minimum altitude over facility on final approach crs, 1900'.

Crs and distance, facility to airport, 139°—4.4.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles, climb to 2700' on SE crs within 20 mi.

CANTION: Bluff 1339' m.s.l. 1.3 mi East of airport. TV towers 1739' m.s.l. 4 mi WNW and 1746' 3 mi SW of airport. Stack 1192' m.s.l. 1.1 mi South of LFR.

All CARRIER NOTES: No reduction in 2-eng. or less aircraft takeoff minimums authorized except on Rnwys 14L, 32R, 17L and 35R.

##300-1 takeoff minimums required for more than 2-eng. aircraft except on Rnwys 14L, 32R, 17L and 35R.

City, Omaha; State, Nebr.; Airport Name, Eppley Airfield; Elev., 982'; Fac. Class., SBRAZ; Ident., OA; Procedure No. 1, Amdt. 14; Eff. Date, 18 Mar. 61; Sup. Amdt. No. 13; Dated, 8 Aug. 59

PROCEDURE CANCELLED, EFFECTIVE 18 MAR 1961, OR UPON CONVERSION OF THE LFR TO AN RBN.

City, Tonopah; State, Nev.; Airport Name, Municipal; Elev., 5426'; Fac. Class., SBRAZ; Ident., TPH; Procedure No. 1, Amdt. 5; Eff. Date, 7 Dec. 58; Sup. Amdt. No. 4; Dated, 25 Oct. 58

2. The automatic direction finding procedures prescribed in § 609.100(b) are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles. If an instrument approach procedure of the above type is conducted at the below named airport, it shall be accordance with the following instrument approach procedure, miless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

	Transition	Sale of the		Ceiling	and visibili	ty minimum	S
T	The state of the s	Course and	Minimum		2-engin	More than	
From—	To-	Course and distance	altitude (feet)	Condition	65 knots or less	More than 65 knots	2-engine, more than 65 knots
			CONTROL OF THE PARTY OF THE PAR	T-dn C-dn S-dn-9 A-dn	300-1 500-1 400-1 800-2	300-1 500-1 400-1 800-2	200-½ 500-1½ 400-1 800-2

Procedure turn South side of crs, 271° Outbnd, 091° Inbnd, 2100′ within 10 mi.

Minimum altitude over facility on final approach crs, 1500′.

Crs and distance, facility to airport, 091°—4.1 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.1 miles of LOM, climb to 2300′ on crs of 091° within 15 ml of LOM or, when directed by ATC, make climbing left turn to 3000′ or higher altitude specified by ATC and proceed via the Flint VOR R-340 to Fosters Int.

City, Flint; State, Mich.; Airport Name, Bishop; Elev., 781'; Fac. Class., LOM; Ident., FN; Procedure No. 1, Amdt. 5; Eff. Date, 18 Mar. 61; Sup. Amdt. No. 4; Dated, 7 Mar. 59

Procedure turn North side of crs, 093° Outbind, 273° Inbind, 2100′ within 10 miles.

Minimum altitude over LOM on final approach crs, 1500′.

Crs and distance, LOM to Rny-27, 273°—3.7 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 mi of LOM, climb to 2200′ on crs of 273° from Markin 20 miles or, when directed by ATC, make right turn, climb to 2000′ on NW crs LN LFR within 20 mi.

CAUTION: 1889′ tower 9 miles SE and 1923′ tower 11.5 mi SE of airport.

R-321 LAN-VOR and 093° bring to LOM.

"Int SVM R-311 and 273° bring to LOM.

City, Lansing; State, Mich.; Airport Name, Capital City; Elev., 859'; Fac. Class., LOM; Ident., LA; Procedure No. 1, Amdt. 7; Eff. Date, 18 Mar. 61; Sup. Amdt. No. 6; Dated, 21 Feb. 59

2			The state of the late of the l				
MW-LFR Racine Int MKE VOR Cardinal Int	LOM LOM LOM LOM	Direct	2000	T-dn. C-dn. S-dn-1 A-dn.	300-1 600-1 500-1 800-2	300-1 600-1 500-1 800-2	200-½ 600-1½ 500-1 800-2

Procedure turn East side of crs, 186° Outbnd, 006° Inbnd, 2000′ within 10 mi.

Minimum altitude over facility on final approach crs, 1500′.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.6 mi after passing LOM, climb to 2700′ on N crs

MW-LFR within 20 miles or, when directed by ATC, climb to 2500′ and proceed to MKE-VOR via MKE R-110.

City, Milwaukee; State, Wis.; Airport Name, General Mitchell Field; Elev., 703'; Fac. Class., LOM; Ident., MK; Procedure No. 1, Amdt. 12; Eff. Date, 18 Mar. 61; Sup. Amdt. No. 11 (ADF portion Comb. ILS-ADF); Dated, 20 Feb. 60

ADF STANDARD INSTRUMENT APPROACH PROCEDURE-Continued

Transition		Ceiling and visibility minimums					
From—	то-	G	Minimum		2-engine or less		More than
		Course and distance	altitude (feet)	Condition	65 knots or less	More than 65 knots	2-engine, more than 65 knots
OA-LFR. OMA-VOR California FM	LOMLOM	DirectDirect	2600 2700 2600	T-dn# C-d C-n S-d-14L S-n-14L A-dn	*300-1 600-1 600-1 ¹ / ₂ 400-1 400-1 ¹ / ₂ 800-2	400-1	400-1

Radar transitions authorized all sectors 2600' except 2700' within 3 mi of 1739' tower 4 mi West and 2700' within 3 mi of 1746' tower 3 mi SW of airport.

Procedure turn West side NW crs, 315° Outbad, 135° Inbad, 2600' within 10 miles.

Minimum altitude over facility on final approach crs, 1900'.

Crs and distance, facility to airport, 135° -4.0 mi.

It visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 mi after passing LOM, climb to 2700' on crs 135° If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 mi after passing LOM, climb to 2700' on crs 135° If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 mi after passing LOM, climb to 2700' on crs 135° If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 mi after passing LOM, climb to 2700' on crs 135° If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 mi after passing LOM, climb to 2700' on crs 135° If visual contact not established upon descent to authorized landing minimums authorized within 4.0 mi after passing LOM, climb to 2700' on crs 135° If visual contact not established upon descent to authorized landing minimums authorized within 4.0 mi after passing LOM, climb to 2700' on crs 135° If visual contact not established upon descent to authorized landing minimums authorized within 4.0 mi after passing LOM, climb to 2700' on crs 135° If visual contact not established upon descent to authorized landing minimums authorized except on Rnwys 14L, 32R, 17L and 35R.

All Carrier Notes: *No reduction in 2-eng. or less aircraft takeoff minimums authorized except on Rnwys 14L, 32R, 17L and 35R.

**After takeoff climb to 2000' ms.l. before proceeding in a westerly direction.

All Carrier Notes: *No reduction in 2-eng. or less aircraft tak

City, Omaha; State, Nebr.; Airport Name, Eppley Airfield; Elev., 982'; Fac. Class., LOM; Ident., OM; Procedure No. 1, Amdt. 9; Eff. Date, 18 Mar. 61; Sup. Amdt. No. 8 Dated, 8 Aug. 59

STJ-VOR.	LOM	Direct	2300	T-dn*	300-1 500-1	300-1 700-1 700-1½ 400-1 800-2	200-½ 700-1½ 700-1½
				C-n	500-1½ 400-1 800-2	400-172 400-1 800-2	400-1 800-2

Procedure turn East side of crs, 172° Outbnd, 352° Inbnd, 2300' within 10 mi. NA beyond 10 mi.
Minimum altitude over facility on final approach crs, 2300'.
Crs and distance, facility to airport, 352°—5.3 mi.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.3 miles, climb to 2400' on crs 352° from LOM within

niles. CAUTION: 400' bluffs West, NW, and East of airport. *Takeoff minimums no lower than 300–1 authorized on Runway 31.

City, St. Joseph; State, Mo.; Airport Name, Rosecrans Memorial; Elev., 822'; Fac. Class., LOM; Ident., ST; Procedure No. 1, Amdt. 12; Eff. Date, 18 Mar. 61; Sup. Amdt. No. 11; Dated, 14 Jan. 61

PROCEDURE CANCELLED, EFFECTIVE 18 MAR 61.

City, Tyler; State, Tex.; Airport Name, Pounds Field; Elev., 544'; Fac. Class., MH; Ident., TYR; Procedure No. 2, Amdt. 1; Eff. Date, 6 June 59; Sup. Amdt. No. Proc. 1, Orig.; Dated, 9 Jan. 57

3. The very high frequency omnirange (VOR) procedures prescribed in § 609.100(c) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition			Ceiling and visibility minimums				
From—	То—	Course and distance	Minimum altitude (feet)	Condition	2-engine 65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots
				T-dn C-dn S-dn-12 A-dn	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	200-½ 500-1½ 500-1 800-2

Procedure turn W side of crs, 324° Outbind, 144° Inbind, 2100′ within 10 mi.

Minimum altitude over facility on final approach crs, 2000′.

Crs and distance, facility to airport, 144°—4.6.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 mi, climb immediately to 2900′ on R-144 within

20 mi. CAUTION: Radio tower 7 mi SE of airport 1921' MSL.

City, Green Bay; State, Wis.; Airport Name, Austin-Straubel; Elev., 694'; Fac. Class., BVORTAC; Ident., GRB; Procedure No. 1, Amdt. 5; Eff. Date, 18 Mar. 61; Sup. Amdt. No. 4; Dated, 31 Dec. 60

Int LAF R-312 and DNV R-037 LAF-VOR (Final)	Direct	1800	T-dn 300-1 300-1 1000-1 1000-1
			C-n 1000-2 1000-2 1000-2 1000-2 1000-2 1000-2
			passing R-019 EPT-VOR: C-d

Procedure turn West side of final approach crs, 323° Outbnd, 143° Inbnd, 2000′ within 10 mi.

Minimum altitude over facility on final approach crs, 1800′; over EPT-VOR R-019, 1500′.

Crs and distance, facility to airport, 143°—10.4 mi; EPT-VOR R-019 to airport, 143°—3.4 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.0 mi of LAF-VOR or 3.4 mi of EPT R-019, climb
to 2300′ on LAF-VOR R-143 within 20 miles.

AIR CARRIER NOTE: Use of sliding scale reduction in landing visibility, or reduction in takeoff minimums not authorized for night operations, or for day operations when such contact the contact of the contact of

City, Lafayette; State, Ind.; Airport Name, Purdue University; Elev., 607'; Fac. Class., BVOR; Ident., LAF; Procedure No. 1, Amdt. 5; Eff. Date, 18 Mar. 61; Sup. Amdt. No. 4; Dated, 25 Feb. 61

VOR STANDARD INSTRUMENT APPROACH PROCEDURE-Continued

Transition			Ceiling and visibility minimums				
From— To— Course and distance	Course and	Minimum		2-engine or less		More than	
	altitude (feet)	Condition	65 knots or less	More than 65 knots	2-engine, more than 65 knots		
				T-dn C-dn S-dn-21 A-dn	300-1 600-1 500-1 800-2	300-1 700-1 500-1 800-2	200-½ 700-1½ 500-1 800-2

Procedure turn W side of crs, 032° Outbnd, 212° Inbnd, 2500′ within 10 miles.

Minimum altitude over facility on final approach crs, 2000′.

Crs and distance, facility to airport, 212°—5.9.

If yisual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.9 miles, make climbing left turn to 2500′ and proceed. If visual contact n

City, Parkersburg; State, W. Va.; Airport Name, Wood County; Elev., 856'; Fac. Class., BVOR; Ident., PKB; Procedure No. 1, Amdt. 3; Eff. Date, 18 Mar. 61; Sup. Amdt. No. 2; Dated, 27 July 57

4. The terminal very high frequency omnirange (TerVOR) procedures prescribed in § 609.200 are amended to read in part:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition			Ceiling and visibility minimums				
From-		Course and	Minimum		2-engine or less		More than 2-engine,
	То—	distance	altitude (feet)	Condition	65 knots or less	More than 65 knots	2-engine, more than 65 knots
Margaret Int*	Curlee Int** (Final)	095-5.8	1700	T-dn C-dn A-dn	300-1 700-1 NA	300-1 700-1 NA	200-½ 700-1½ NA

Radar terminal area transition altitudes: 0–360° within 25 mi, 3000′. All bearings Allanta airport. No procedure turn. Minimum altitude over facility on final approach crs, #1500′. Facility on airport. Crs and distance, Curlee Int** to airport, 095°—3.0 mi. If visual contact not established upon descent to authorized landing minimums of the Margaret Int via R-275 FTY-VOR or follow radar vector as directed by ATC. Notes: Procedure authorized only for aircraft equipped with dual VOR receive in operation. ATL Approach Control Radar must also be in operation for vector to "Int R-275 FTY-VOR and R-325 ATL-VOR or 005° bring to LSM RBn. "Int R-275 FTY-VOR and R-340 ATL-VOR or 334° bring to LSM RBn. Maintain 1700′ until passing Curlee Int.** City, Atlanta; State, Ga.; Airport Name, Fulton County; Elev., 834′; Fac. Class., L-1	r if landing not accom ers or one ADF and o to final approach cour	nplished wit one VOR re	hin 0.0 mile, make i celver and only du ather reporting faci	right climbin ring hours tl lities availah	g turn to 3000 nat FTY Con le.	ntrol Tower
			T-dn C-dn S-dn-25 A-dn	300-1 *500-1 *400-1 800-2	300-1 *500-1 *400-1 800-2	200-½ *500-1½ *400-1 800-2

Procedure turn South side of crs, 063° Outbind, 243° Inbind, 1300' within 10 mi. Beyond 10 mi NA. Nonstandard due Navy traffic North.

Minimum altitude over facility on final approach crs, 500'.*
Crs and distance, breakoff point to approach end of Runway 25, 250°—0.3 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile, turn right and climb to 1700' on R-305 within alles.

CAPTION: Radio tower 687' MSL 3.7 mi West of airport.
"If Barton Int*" not identified on final, descent below 70
"Barton Int: Int ORL R-063 and 195° brng to LOM. 700' m.s.l. NA.

City, Orlando; State, Fla.; Airport Name, Orlando; Elev., 113'; Fac. Class., BVOR; Ident., ORL; Procedure No. TerVOR-25, Amdt. Orig.; Eff. Date, 18 Mar. 61

5. The instrument landing system procedures prescribed in § 609.400 are amended to read in part;

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition			Ceiling and visibility minimums				
From-	То	Course and distance	Minimum		2-engine or less		More than 2-engine,
			altitude (feet)	Condition	65 knots or less	More than 65 knots	
Columbus LFR	LOMLOMLOM	Direct Direct Direct	2200 2200 2200 2200 2200	T-dn	300-1 500-1 300-34 600-2	300-1 500-1 300-34 600-2	200-1/2 500-11/2 300-3/4 600-2

Procedure turn West side of crs, 232° Outbnd, 052° Inbnd, 2200′ within 10 mi. Beyond 10 miles NA.

Minimum altitude at glide slope interception inbnd, 2200′.

Altitude of glide slope and distance to approach end of runway at OM, 2157′—5.9 mi; at MM, 623′—0.6 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 2000′ on course of 052° within 20 miles or, when directed by ATC, climb to 2200′, turn left and return direct to LOM.

CAUTION: Tower 1049′ one mile NW of LOM.

*500-¾ required when glide slope inoperative.

City, Columbus; State, Ga.; Airport Name, Muscogee County; Elev., 397'; Fac. Class., ILS; Ident., I-CSG; Procedure No. ILS-5, Amdt. 1; Eff. Date, 18 Mar. 6i; Sup. Amdt. No. Orig.; Dated, 7 Jan. 6i

Radar transitions to final approach ers authorized. Aircraft will be released for final approach without procedure turn on inbnd final approach ers at least 3.0 mi from LOM. Refer to Willow Run Radar procedure if detailed information on sector altitudes is desired.

Procedure turn East side of crs, 212° Outbnd, 032° Inbnd, 2000' within 10 miles.

Minimum altitude at G.S. int inbnd, 2000'.

Altitude of G.S. and distance to approach end of rny at LOM, 2016'—4.3 mi; at LMM, 870'—0.5 mi.

If visual contact not established upon descent to authorized landling minimums or iflandling not accomplished make right turn, climb to 2300', proceed to Park Int via R-29/ Windsor VOR or, when directed by ATC, make right 180° turn, climb to 2300' and proceed to Rockwood Int via R-143 SVM.

OTHER CHANGES: Deletes transition from Flat Rock Int.

#Creek Int—Int CRL VOR R-267 and front crs DTW ILS.

**Runway visual range 260° also authorized for takeoff and landing on Runway 3L; provided that all components of the ILS, high intensity runway lights, approach lights, condenser discharge flashers, middle and outer compass locators and all related airborne equipment are operating satisfactory. Descent below the authorized landing minimum altitude of 836' MSL shall not be made unless visual contact with the approach lights has been established or the aircraft is clear of clouds.

City, Detroit; State, Mich.; Airport Name, Detroit Metropolitan Wayne County; Elev., 639'; Fac. Class., ILS; Ident., I-DTW; Procedure No. ILS-3L-R Amdt. 5; Eff. Date, 18 Mar. 61; Sup. Amdt. No. 4; Dated, 26 Dec. 59

	T-dn
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Procedure turn S side of crs, 271° Outbnd, 091° Inbnd, 2100′ within 10 mi.

Minimum altitude at G.S. int inbnd, 2000′.

Altitude of G.S. and distance to approach end of rny at OM 1988—4.1, at MM 986—0.6.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 2300′ on E ers of ILS within 15 mi of LOM or, when directed by ATC, make climbing left turn to 3000′ or higher altitude specified by ATC and proceed via the Flint VOR R-340 to Fosters Int.

City, Flint; State, Mich.; Airport Name, Bishop; Elev., 781'; Fac. Class., ILS; Ident., I-FNT; Procedure No. ILS-9, Amdt. 6; Eff. Date, 18 Mar. 61; Sup. Amdt. No. 5; Dated, 25 Apr. 59

Lansing VOR Lansing LFR Portland Int* Eagle Int** Fowler Int	LOMLOMLOMLOMLOM#	Direct	2400 2400 2400 2400 2400 2900	T-dn C-dn S-dn-27 A-dn	300-1 400-1 200-1/2 600-2	300-1 500-1 200-1/2 600-2	200-1/2 500-1/4 200-1/2 600-2
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Procedure turn North side crs, 093° Outbnd, 273° Inbnd, 2100′ within 10 mi.

Minimum altitide at glide slope int inbnd, 2100′.

Altitude of G.S. and distance to approach end of rny at OM, 2030—3.7; at MM, 1070—0.5.

It visual contact not established upon descent to authorized landing minimums or of landing not accomplished climb to 2200′ on W crs ILS within 20 miles or, when directed ATC, make right turn, climb to 2000′ on NW crs LN-LFR within 20 miles.

CAUTION: Tower 1880′ 9 mi St E and tower 1923′ 11½ mi St E of airport.

OTHER CHANGES: Deletes transition from Perry Int.

"R-297 LAN-VOR and W crs ILS or the 093° brng to LOM.

*"R-321 LAN-VOR and W crs ILS or the 093° brng to LOM.

\$Authorized as final transition when interception of E crs ILS made via R-311 of SVM. Minimum altitude 2100′ after interception of E crs ILS.

\$Authorized as final transition when interception of E crs ILS made via R-311 of SVM. Minimum altitude 2100′ after interception of E crs ILS.

City, Lansing; State, Mich.; Airport Name, Capital City; Elev., 859'; Fac. Class., ILS; Ident., I-LAN; Procedure No. ILS-27, Amdt. 7; Eff. Date, 18 Mar. 61; Sup. Amdt. No. 6; Dated, 21 Feb. 59

ILS STANDARD INSTRUMENT APPROACH PROCEDURE-Continued

Transition				Ceiling and visibility minimums					
From-	То—	Course and distance	Minimum altitude (feet)	Condition	2-engine 65 knots or less	or less More than 65 knots	More than 2-engine, more than 65 knots		
LAX RBn. La Habra Int. LB LFR. LGB VOR. LB LFR. LGB VOR. Hollywood Hills FM. LAX VOR. Downey FM-RBn.	LOM. Downey FM/RBn Downy FM-RBn Downy FM-RBn LOM	Direct	3000 3000 3000 2000 2000 3000	T-dn* C-dn S-dn-25L# A-dn	300-1 500-1 200-1/2 600-2	300-1 600-1 200-½ 600-2	200-3/2 600-13/2 200-3/2 600-2		

Radar vectoring authorized in accordance with approved patterns.

Procedure turn S side E crs, 068° Outbud, 248° Inbud, 2400′ within 10 miles.

Minimum altitude at glide slope int inbud, 2000′ (Aircraft will maintain 3,000′ until intercepting glide slope unless otherwise advised by ATC.)

Altitude of glide slope and distance to approach end of runway at OM, 1830′—5.4 mi; at MM, 335′—0.65 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 2000′ on W crs LAX ILS within 20 mi.

Nore: Narrow localizer course 4 degrees.

*Runway Visual Range 2600′ also authorized for takeoff on Runways 25L and 25R; providing high-intensity runway lights are operational and runways are marked in accordance with TSO-N10a (all weather runway markings).

*#Runway Visual Range 2600′ also authorized for landing on Runway 25L; provided that all components of the ILS, high-intensity runway lights, approach lights, condenser discharge fisshers, middle and outer compass locators and all related airborne equipment are in satisfactory operating condition. Descent below 326′ MSL shall not be made unless visual contact with the approach lights has been established or the aircraft is clear of clouds.

City, Los Angeles; State, Calif.; Airport Name, International; Elev., 126'; Fac. Class., ILS; Ident., LAX; Procedure No. ILS-25L, Amdt. 21; Eff. Date, 18 Mar. 61; Sup. Amdt. No. 20; Dated, 26 Mar. 60

2500 A-dn - 600-2 600-2 600-2	MW-LFR. Rache Int VHF Cardinal Int VHF MKE VOR	LOMLOMLOMLOM	Direct Direct Direct Direct	2000 2700	T-dn	300-1 600-1 200-1/2 600-2	300-1 600-1 200-½ 600-2	200-1/2 600-11/2 200-1/2 600-2
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Procedure turn E side S crs, 186° Outbnd, 006° Inbnd, 2000' within 10 mi.

Minimum altitude at glide slope interception inbnd, 2000'.

Altitude of glide slope and distance to approach end of runway at OM, 1877'—3.6 mi; at MM, 929'—0.6 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 2700' on N crs MW-LFR within 20 mi or, when ceted by ATC, make left climbing turn to 2500' and intercept R-110 MKE-VOR and proceed to MKE-VOR.

Other Changes: Deletes transition from Int N crs MW LFR and S crs ILS.

City, Milwaukee; State, Wis.; Airport Name, General Mitchell Field; Elev., 703'; Fac. Class. and Ident., ILS-MKE; Procedure No. ILS-1, Amdt. 12; Eff. Date, 18 Mar. 61; Sup. Amdt. No. 11 (ILS portion Comb. ILS-ADF); Dated, 20 Feb. 60

Radar transitions authorized all sectors 2600' except 2700' within 3 mi of 1739' tower 4 miles West and 2700' within 3 mi of 1746' tower 3 mi SW of airport.

Procedure turn West side of crs, 315° Outbind, 135° Inbind, 2600' within 10 mi of OM.

Minimum altitude at glide slope Int inbind, 2100'.

Altitude of glide slope and distance to approach end of runway at OM, 2085'—4.0 mi; at MM, 1180'—0.6 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 mi after passing LOM, climb to 2700' on SE crs

Ils, then proceed direct to OMA VOR or, when directed by ATC, (1) Climb to 2500' on SE crs ILS, turn left and proceed direct to Neola VOR; (2) When under radar direction, elimb to 2500' prior to making right or left turn.

CAUTION: Bluff 1338' m.s.l. 1.3 mi East; TV towers 1739' MSL 4 mi WNW and 1746' m.s.l. 3 mi SW of airport. Stack 1192' MSL 0.8 mi SSE of LOM.

Alter takeoff climb to 2000' m.s.l. prior to proceeding in a westerly direction.

Alter Lakeoff elimb to 2000' m.s.l. prior to proceeding in a westerly direction.

Alter Carrier Nores: *No reduction in 2-eng. or less aircraft takeoff minimums authorized except on Rnwys 14L, 32R, 17L and 35R. ##300-1 takeoff minimums required when glide slope or approach lights are inoperative.

City, Omaha, State Nores: aircraft except Rnwys 14L, 32R, 17L and 35R. ##300-1 takeoff minimums required when glide slope or approach lights are inoperative.

City, Omaha; State, Nebr.; Airport Name, Eppley Airfield; Elev., 982'; Fac. Class., ILS; Ident., I-OMA; Procedure No. ILS-14L, Amdt. 9; Eff. Date, 18 Mar. 61; Sup. Amdt. No. 8; Dated, 8 Aug. 59

Radar transitions authorized all sectors 2600' except 2700' within 3 mi of 1739' tower 4 mi West and 2700' within 3 mi of 1746' tower 3 mi SW of airport.

No glide slope, outer or middle marker. Descend to 1800' after passing Keg Int.* Descend to landing minimums after passing Stack Int.** Crs and distance, Stack Int.** to airport, 315°-3.0 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.0 mi after passing Stack Int,** climb to 2700' on Note: Radar fixes authorized at Keg* and Stack Intersections.** ILS procedure NA when radar inoperative unless aircraft equipped to receive ILS/VOR simultane-

Note: Radar fixes authorized at Keg* and Stack Intersections.** ILS procedure NA when radar inoperative unless are taked to usly.

Caution: Bluff 1339' m.s.l. 1.3 mi East; TV towers 1739' m.s.l. 4 mi WNW and 1746' m.s.l. 3 mi SW of airport. Stack 1192' m.s.l. 0.8 mi SSE of LOM.

*Keg Int: Neola VOR R-196 and back localizer course.

*Stack Int: Neola VOR R-204 and back localizer course.

*After takeoff, climb to 2000' m.s.l. prior to proceeding in a westerly direction.

Am Carrier Notes: %No reduction in 2-engine or less aircraft takeoff minimums authorized except on Rnwys 14L, 32R, 17L and 35R. @300-1 takeoff minimums required for more than 2-eng. aircraft except Rnys 14L, 32R, 17L and 35R.

City Omaha, Carrier Notes: %No reduction in 2-engine or less aircraft takeoff minimums authorized except on Rnwys 14L, 32R, 17L and 35R.

City Omaha, Carrier Notes: %No reduction in 2-engine or less aircraft takeoff minimums authorized except on Rnwys 14L, 32R, 17L and 35R.

City Omaha, Carrier Notes: %No reduction in 2-engine or less aircraft takeoff minimums authorized except on Rnwys 14L, 32R, 17L and 35R.

City Omaha, Carrier Notes: %No reduction in 2-engine or less aircraft takeoff minimums authorized except on Rnwys 14L, 32R, 17L and 35R.

City, Omaha; State, Nebr.; Airport Name, Eppley Airfield; Elev., 982'; Fac. Class., ILS; Ident., I-OMA; Procedure No. ILS-32R, Amdt. 2; Eff. Date, 18 Mar. 61; Sup. Amdt. No. 1; Dated, 8 Aug. 59

ILS STANDARD INSTRUMENT APPROACH PROCEDURE-Continued

Transition				Ceiling and visibility minimums				
		Course and	Minimum		2-engine	or less	More than	
From-	То-	Course and distance	altitude (feet)	Condition	65 knots or less	More than 65 knots	2-engine, more than 65 knots	
ORL-VOR.	LOM	Direct	1200	T-dn C-dn S-dn-31* A-dn	300-1 500-1 300-34 600-2	300-1 500-1 300-3/4 600-2	200-½ 500-1½ 300-¾ 600-2	

Procedure turn N side crs, 130° Outbnd, 310° Inbnd, 1500′ within 10 mi.

Minimum altitude at G.S. int inb, 1500′.

Altitude of G.S. and distance to approach end of rny at OM, 1440′—4.1 mi; at MM, 340°—0.6 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 1700′ on ORL-VOR R-308 within 20 miles or, when directed by ATC, climb to 1700′ on crs of 308° from the LOM within 20 miles of airport, or climb to 1700′ on ORL-VOR R-220 within 20 miles.

Note: No approach lights.

*400-¾ required when glide slope not utilized.

City, Orlando; State, Fla.; Airport Name, Orlando Municipal; Elev., 113'; Fac. Class., ILS; Ident., I-ORL; Procedure No. ILS-31; Amdt. 10; Eff. Date, 18 Mar. 61; Sup. Amdt. No. 9; Dated, 17 Dec. 60

Rochelle Int* PLL-VOR. RFD-VOR. Belvedere Int** JVL-VOR Malta Int.	LOM (Final)	Direct	2000 2000 2000 2000 2000 ***2500 2000	T-dn	300-1 400-1 200-1/2 600-2	300-1 500-1 200-½ 600-2	200-1/2 500-1/4 200-1/2 600-2
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Procedure turn East side of crs, 182° Outbind, 002° Inbind, 2000′ within 10 miles.

Minimum altitude at glide slope interception inbind, 2000′.

Altitude at glide slope and distance to approach end of runway at LOM, 1966′—4.5 mi; at LMM, 923′—0.55 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished make left climbing turn to 2500′, proceed direct to RFD-VOR or, when directed by ATC, (1) climb to 2500′ on North crs of ILS within 20 miles, (2) make left climbing turn to 2000′ direct to LOM.

*Rochelle Int: Int PLL-VOR R-055 and S crs ILS.

**Belvedere Int: RFD-VOR R-090 and JVL-VOR R-150.

***2000′ after passing RFD-VOR R-090.

City, Rockford; State, Ill.; Airport Name, Greater Rockford; Elev., 734'; Fac. Class., ILS; Ident., I-RFD; Procedure No. ILS-36, Amdt. Orig.; Eff. Date, 18 Mar. 61

St. Joseph VOR	LOM	Direct	2300	T-dn*	300-1	300-1	200-1/2
				C-d	500-1 500-1½	300-1 700-1 700-1½ 200-½	700-1½ 700-1½
				S-dn-35# A-dn	200-½ 600-2	700-2	200-½ 700-2

Procedure turn E side S crs, 172° Outbnd, 352° Inbnd, 2300′ within 10 mi (NA beyond 10 mi).

Minimum altitude at glide slope int inbnd, 2300′.

Altitude of glide slope and distance to approach end of runway at OM-2261—5.3; at MM-1066—0.8.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.3 miles, climb to 2400′ on North course ILS within miles.

CAUTION: 400′ bluffs W, NW and E of airport.

"Takeoff minimums no lower than 300–1 authorized on Runway 31.

#Straight-in ILS minimums authorized under provisions of inoperative ILS components are applicable, except 400–1 required with glide slope inoperative.

City, St. Joseph; State, Mo.; Airport Name, Rosecrans Memorial; Elev., 822'; Fac. Class., ILS; Ident., I-STJ; Procedure No. ILS-35, Amdt. 12; Eff. Date, 18 Mar. 61; Sup. Amdt. No. 11; Dated, 14 Jan. 61

St. Louis VOR St. Louis LFR Jerseyville Int Wood River Int.	LOM LOM LOM LOM NE crs ILS (Final) (to intercept ILS	Direct	1800 1800 2000 1800 1800	T-dn* C-dn 8-dn 24* A-dn	300-1 500-1 200-1/ ₂ 600-2	300-1 500-1 200-½ 600-2	200-1/4 500-1/4 200-1/4 600-2
Lake RBn Cora Int. Academy Int. Mitchell Int Maryland Heights VOR Prairie Int. Godfrey Int.	LOM (Final) NE crs IL8 (Final) LOM LOM LOM NE crs IL8 (Final)	Direct	1800 1900 1800 2000 2000 1900				

Radar transitions to final approach course authorized. Information for radar terminal area transition altitudes on St. Louis radar procedure.

Procedure turn N side NE crs, 055° Outhod 288° Inbnd, 1900' within 10 mi.

Minimum altitude at glide slope int inbnd, 1800'.

Altitude of glide slope and distance to approach end of runway at OM, 1782—4.1; at MM, 748—0.6.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 2000' on SW crs of ILS to Lake "H" or, when directed by ATC, make right (North) turn, climb to 2000' direct to STL-VOR.

"Runway visual range 2800 feet also authorized for takeoff and landing on runway 24; provided, that all components of the ILS or PAR, high-intensity runway lights, condenser-discharge flashers, middle and outer compass locators and all related airborne equipment are operating satisfactorily. Descent below the authorized landing minimum altitude of 771 MSL shall not be made unless visual contact with the approach lights has been established or the aircraft is clear of clouds.

City, St. Louis; State, Mo.; Airport Name, Lambert-St. Louis Municipal; Elev., 571'; Fac. Class., ILS; Ident., I-STL; Procedure No. ILS-24, Amdt. 22; Eff. Date, 18 Mar. 65, Sup. Amdt. No. 21; Dated, 18 Feb. 61

PROCEDURE CANCELLED, EFFECTIVE 18 MARCH 1961. WEST ORS OF ILS DOES NOT MEET FLIGHT CHECK CRITERIA.

City, South Bend; State, Ind.; Airport Name, St. Joseph County; Elev., 778'; Fac. Class., ILS (Back crs approach); Ident., ISBN; Procedure No. ILS-9, Amdt. 2; Eff. Date, 8 Aug. 59; Sup. Amdt. No. 1; Dated, 26 Nov. 55

These procedures shall become effective on the dates specified therein. (Secs. 313(a), 307(c), 72 Stat. 752, 749; 49 U.S.C. 1854(a), 1348(c))

Issued in Washington, D.C., on February 13, 1961.

GEORGE C. PRILL, Acting Director, Bureau of Flight Standards.

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I-Civil Service Commission PART 6-EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of Defense

Effective upon publication in the FED-ERAL REGISTER, subparagraph (33) is added to § 6.304(a) as set out below.

§ 6.304 Department of Defense.

(a) Office of the Secretary. * * *

(33) The Director, Office for Organization and Management Planning, Office of the General Counsel.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERV-ICE COMMISSION, MARY V. WENZEL. [SEAL] Executive Assistant to the Commissioners.

[FR. Doc. 61-1815; Filed, Mar. 1, 1961; 8:50 a.m.]

PART 20-RETENTION PREFERENCE REGULATIONS FOR USE IN REDUC-TION IN FORCE

Effective for notices issued on and after May 1, 1961, Part 20 is revised as follows:

Subpart A-Coverage and Definitions

20.101 Use.

20.102 Coverage.

20.103 Definitions.

Subpart B—Determining Retention Standing

20.201 Determining retention standing.

20.202 Retention register.

20.203 Records.

Subpart C-Determining Agency Action

20.301 General.

20.302 Release from competitive level.

20.303 Actions.

20.304 Exceptions.

Subpart D-Effecting Agency Action

20.401 Notice to employees. 20.402

Contents of notice. 20,403

General and specific notices. 20,404

General notice contents. 20.405

Expiration of notices. 20.406 New notice required.

20.407 Status during notice period.

Subpart E-Appeals

20.501 Initial appeals. 20.502

Failure to prosecute.

Death of appellant. 20.504

Decision on initial appeal. 20.505 Appellate review.

20.506 The Commissioners.

20.507 Correction by agency.

Subpart F—Reemployment Priority

20.601 Reemployment priority list.

Employees separated from positions overseas or in Alaska.

20.603 Restriction in filling positions.

AUTHORITY: \$\$ 20.101 to 20.603 issued under sec. 11, 19, 58 Stat. 390, 391, as amended; 5 U.S.C. 860, 868.

No. 40-4

Subpart A-Coverage and Definitions

§ 20.101 Use.

(a) General. The regulations in this part must be followed whenever an agency releases a competing employee from his competitive level by means of separation, demotion, furlough for more than thirty days, or reassignment requiring displacement, when the release is required because of lack of work, shortage of funds, reorganization, or the exercise of reemployment rights or restoration rights.

(b) Administrative use. The regulations in this part do not require an agency to fill a vacant position. However, when an agency, in its discretion, chooses to fill a vacancy by an employee who has been released from his competitive level for one of the reasons mentioned in paragraph (a) of this section, the regulations in this part shall be followed.

(c) Exclusion. The regulations in this part do not apply to the change of an employee from regular to substitute in the same pay level in the field service of the Post Office Department.

§ 20.102 Coverage.

(a) Employees. Except as provided by paragraph (b) of this section, the regulations in this part apply to all civilian employees:

(1) In the executive branch of the

Federal Government,

(2) In those parts of the Federal Government outside the executive branch which are subject by law to the competitive civil service requirements,

(3) In the civil service of the District

of Columbia.

(b) Persons not covered. The regulations in this part do not apply to:

(1) Persons in positions in or under the legislative or judicial branches of the Federal Government unless they occupy positions which are, by law, subject to the Federal competitive civil service requirements.

Persons (except postmasters) whose appointments are required by the Congress to be confirmed by, or made with the advice and consent of the United States Senate.

§ 20.103 Definitions.

(a) General terms. As used in this part, the following terms have the meaning given in Part I of these regulations: competitive service, excepted service, obligated position, promotion, and veteran.

(b) Limited terms. As used in this part, the following terms have the mean-

ing given:

Competing employee" means an employee in tenure group I, II, or III.

'Days' means calendar days.

"Function" means all or a clearly identifiable segment of an agency's mission (including all the integral parts of that mission), regardless of the manner in which it is performed.

'Local commuting area" means the geographic area which usually constitutes one area for employment purposes.

It includes any population center (or two or more neighboring ones) and the surrounding localities within which people live and can reasonably be expected to travel back and forth daily in their usual employment.

Performance rating" means the current official performance rating under a performance rating plan approved by the

Commission.

Reorganization" means the planned elimination, addition, or redistribution of functions or duties within an organi-

"Representative rate" is the fourth step of the grade for a position under the Classification Act, the prevailing rate for a position under a wage-board or similar wage-determining procedure, and, for all other positions, the rate designated by the agency as representative of the position.

"Transfer of function" means the transfer of the performance of a continuing function from one competitive area and its addition to one or more other competitive areas, or the movement of the competitive area in which the function is performed to another commuting area.

Subpart B—Determining Retention Standing

§ 20.201 Determining retention standing.

(a) Selection factors. Agencies shall determine the retention standing of competing employees on the basis of the selection factors in this subpart.

(b) Competitive area. (1) Agencies shall establish competitive areas within which employees compete for retention

under this part.

(2) The competitive area is all or that part of an agency within which employees are assigned under a single administrative authority. In the departmental service, this standard is met when the competitive area covers a primary subdivision of the agency within the local commuting area. In the field service, this standard is met when the competitive area covers a field installation within the local commuting area.

(3) Agencies may provide for competitive areas larger than those mentioned in subparagraph (2) of this paragraph. Under exceptional circumstances, and with the prior approval of the Commission, an agency may establish a com-petitive area smaller than those mentioned in subparagraph (2) of this paragraph.

(4) Agencies may combine two or more competitive areas for the purpose of initial competition within an enlarged competitive level or levels without a corresponding combination of the areas for the purpose of position changes between competitive levels. When agencies combine areas for the purpose of initial competition only, they may limit competition for position changes between competitive levels to (i) the enlarged area, (ii) a single competitive area, or (iii) an area larger than a single area but smaller than the enlarged area.

(c) Competitive level. (1) Agencies shall establish competitive levels consisting of all positions within a competitive area and in the same grade or occupational level which are sufficiently alike in qualifications requirements, duties, responsibilities, pay schedules, and working conditions so that the incumbent of any one position may be changed readily to any of the other positions without change in the terms of the incumbent's appointment or undue interruption to the work program.

(2) Separate competitive levels shall be established for competitive positions as distinguished from excepted positions. Among competitive positions and among excepted positions, separate competitive levels shall be established for positions:

(i) Under different pay schedules,

(ii) Filled on a seasonal basis,

(iii) Filled on a part-time basis, and (iv) Filled on a when-actually-em-

ployed basis.

In addition, among excepted positions, separate competitive levels shall be established for positions filled under different appointment authorities.

- (d) Tenure groups—competitive service. (1) Employees having performances ratings of "Satisfactory" or better and serving under appointments not limited to one year or less shall be classified into the following groups and subgroups on the basis of tenure of employment and veteran preference. The descending order of retention standing by groups is group I, group III; within each group it is subgroup A, subgroup B; within subgroups it begins with the earliest service date.
- (2) Group I includes employees serving under career appointments who have completed probation or are not required to serve the probationary period. A career employee serving in an obligated position is in group I when competing for positions at and below the grade in which he last served on a permanent basis.

(3) Group II includes employees who are serving a probationary period, career-conditional employees, and career employees occupying obligated positions.

(4) Group III includes indefinite employees, employees serving under temporary appointments pending establishment of registers, and employees serving in status quo or under any other nonstatus nontemporary appointment.

(5) Subgroups—competitive service. Within each tenure group, employees with veteran preference are in subgroup "A" and other employees in

subgroup "B"

- (e) Excepted service. Tenure groups and subgroups for competing employees in the excepted service shall correspond with those for employees in the competitive service having similar tenure of employment and veteran preference, except that employees who complete one year of current continuous service under temporary appointment are in tenure group III.
- (f) Length of service. (1) Agencies shall establish a service date for each competing employee.

(2) The service date for each employee is whichever of the following

dates reflects his total length of service and performance rating credit provided in paragraph (g) of this section: (i) The date of his entrance on duty, if he had no previous creditable service, (ii) the date obtained by subtracting his total creditable previous service from the date of his latest entrance on duty, or (iii) the date obtained by subtracting from (i) or (ii) the service equivalent allowed for performance ratings above "Satisfactory." The service date shall be adjusted as necessary to withhold credit for any noncreditable time.

(g) Performance ratings. (1) Employees who have "Outstanding" performance ratings shall receive credit for four years of service added to the length

of service.

(2) Employees who have performance ratings between "Satisfactory" "Outstanding", when such ratings have been authorized in a Performance Rating Plan approved by the Commission, shall receive credit for two years of service added to the length of service.

§ 20.202 Retention register.

(a) An agency shall establish a retention register whenever a competing employee is to be released from a competitive level under this part.

(b) Retention registers shall be established from the current retention records of employees in each competitive level affected. The names of competing employees in positions in the particular competitive level (whether in duty, leave, or furlough status, excluding only those absent on military duty with reemployment rights) shall be entered on the register in the order of retention standing; that is, by tenure groups, subgroups, and service data.

When employees serving under specifically limited temporary appointments occupy positions in the competitive level, their names and the expiration dates of their appointments shall be listed apart from the retention register. The names of any employees in the competitive level with performance ratings of less than "Satisfactory", regardless of the types of appointment under which serving, shall be listed apart from the retention register and below the names of temporary employees.

(c) A separate retention register shall be compiled for each competitive level.

§ 20.203 Records.

Agencies shall maintain the current, correct records necessary to determine the retention standing of their competing employees. All retention registers and all related records shall be open for inspection by representatives of the Commission and by employees of the agency to the extent that such records have a bearing on their cases. All of the records shall be preserved intact for at least one year from the date of issuance of specific notices to the employees.

Subpart C-Determining Agency Action

§ 20.301 General.

No competing employee shall be released from a competitive level while another employee with a specifically

limited temporary appointment or an "Unsatisfactory" performance rating is retained in the competitive level. In addition, except as required under \$20.304(a) or \$20.406, or as permitted under \$20.304 (b) and (c), no competing employee shall be released from a competitive level while another employee with lower retention standing is retained in the competitive level.

§ 20.302 Release from competitive level.

Competing employees shall be selected for release from a competitive level under this part in the inverse order of retention standing, beginning with the lowest standing employee on the retention register. When employees in the same subgroup are tied with identical service dates, the agency may select any of the tied employees in its discretion.

§ 20.303 Actions.

(a) General. A competing employee selected for release from his competitive level shall be (1) assigned with his consent to a position for which qualified that will last as long as three months, or (2) furloughed, or (3) separated.

(b) Qualifications for assignment. Except as provided by paragraph (c) of this section, to be considered qualified for the purposes of this section, an employee must meet the Commission's standards and requirements for the position in question, including any minimum educational requirements; must be physically qualified for the duties of the position, and must meet any special qualifying conditions which the Commission has approved for the position. In addition, the employee must have the capacity, adaptability, and any special skills required for satisfactory performance of the duties and responsibilities of the position without undue interruption to the activity.

(c) Exception to qualifications. An agency may, in its discretion, assign an employee under this section or under § 20.101(b) as an exception to the Commission's standards and requirements when the agency determines that he has the capacity, adaptability, and special skills required by the position. An employee assigned as an exception to the standards and requirements must meet any minimum educational requirement established for the position.

(d) Assignment involving displacement. A group I or II employee in the competitive service shall be assigned under paragraph (a) of this section, rather than furloughed or separated, to a competitive position in another competitive level in his competitive area which will require no reduction, or the least possible reduction, in representative rate whenever a position in the other

competitive level is held by: (1) An employee in a lower subgroup,

(2) An employee with lower retention standing and the position is one from which the group I or II employee was promoted (or an essentially identical position).

This paragraph does not require an agency to change an employee to a position with a higher representative rate, nor does it authorize or permit the displacement of a full-time employee by other than a full-time employee.

The assignment rights of an employee under this paragraph may be satisfied by action of the agency under § 20.101(b) or paragraph (e) of this section.

(e) Administrative reassignment. Although not required by these regulations, agencies may provide for position changes across competitive areas, may permit competing employees to displace employees with lower standing in the same subgroup when equally reasonable placements cannot be made by displacing employees in lower subgroups. and may permit employees in subgroup III-A to displace employees in subgroup III-B.

(2) Agencies may provide rights similar to those specified in § 20.303(d) and in subparagraph (1) of this paragraph to competing employees in the excepted

(3) Agency provisions adopted under this paragraph must be consistent with the regulations in this part, must be uniformly and consistently applied in any one reduction in force, and may not provide for changes from less-than-fulltime to full time, from competitive to excepted, or from excepted to competitive positions.

(f) Use of furlough. (1) A competing employee may not be furloughed unless the agency intends to recall him to duty within one year in the position from

which furloughed.

(2) No competing employee may be separated in a reduction in force while an employee with lower retention standing is on furlough from the same competitive level.

(3) Furloughs may not extend more

than one year.

(4) When more than one employee is furloughed from the same competitive level, recall to that competitive level shall be in the order of retention standing beginning with the furloughed employee having the highest standing.

(g) Special provisions on transfer of function. Before any reduction in force is made in connection with the transfer of any or all of the functions of an agency to another continuing agency, all competing employees in positions identified with such function or functions shall be transferred to such continuing agency, without change in tenure of appointment. Employees whose positions are transferred solely for the purpose of liquidation, and who are not identified with operating functions specifically authorized at the time of transfer to continue in operation more than sixty days, shall not be considered as competing employees for other positions in the receiving agency.

(h) Special provisions on liquidation. When all positions in a competitive area will be abolished within three months, employees shall be released in subgroup order but may be released without regard to retention standing within a subgroup. When this provision is used, the notice to the employees shall so state and shall also state the date on which the liquidation will be completed. The provisions of § 20.304 may be used dur-

ing liquidation.

§ 20.304 Exceptions.

(a) Mandatory exceptions. In applying the provisions of section 20.302 and section 20.303 the following special retention priorities shall be followed:

(1) Veterans in group I or II who are entitled to be retained for one year after restoration under section 9 of the Universal Military Training and Service Act, as amended, shall be retained over all other employees in their subgroups until the expiration of the one-year period.

(2) Nonveterans in group I or II who are entitled to be retained for either six months or one year after restoration under section 9 of the Universal Military Training and Service Act, as amended, shall be retained over all other employees in their subgroups until the expiration of the retention period.

(3) The reasons for these deviations from the regular order of selection shall be recorded on the retention register and shall be available for inspection by

all employees.

(b) Permissive continuing exceptions. An exception to the selection sequence set forth in § 20.302 and to the action provisions of § 20.303 may be made when necessary to retain an employee engaged on duties which cannot be taken over within ninety days and without undue interruption to the activity by an employee with higher retention standing. Each higher-ranking employee who is reached in the competitive level shall be notified in writing of the reasons for the exception.

(c) Permissive temporary exceptions. An exception to the provisions of §§ 20.302 and 20.303 may be made for not to exceed ninety days when necessary to retain an employee for ninety days or less after the effective date of reduction in force for higher-ranking employees in the same competitive level in order to continue an activity without undue interruption, or to satisfy a governmental obligation to the retained employee. When the retention is for more than thirty days after the effective date of reduction in force for higher-ranking employees in the same competitive level, each higher-ranking employee who is reached in the competitive level shall be notified in writing of the reasons for the exception and the date the retention will end. When the retention is for thirty days or less, the reasons for the exception and the date the retention will end shall be listed opposite the retained employee's name on the retention register.

Subpart D-Effecting Agency Action

§ 20.401 Notice to employees.

(a) General. Competing employees selected for release from their competitive levels under this part shall receive written notices at least thirty full days but not more than ninety full days before the effective dates of their release except as may be required to comply with a provision of this part.

(b) Extensions. When an employee is retained under § 20.304 (a) or (c) his notice period may be more than ninety full days, but may not continue beyond the date of completion of his retention period. The date of completion shall be cited in the notice as the effective date.

(c) Exception. Upon request, the Commission may grant prior approval to extend the maximum ninety-day notice period prescribed in paragraph (a) of this section for an additional period not to exceed ninety days upon a showing that such an extension will protect employee rights or avoid administrative hardship.

§ 20.402 Contents of notice.

Except as provided in § 20.403 a notice under this part shall state specifically the action to be taken; the effective date: the employee's competitive area, competitive level, subgroup, and service date: the place where the employee may inspect the regulations and records pertinent to his case; the reasons why any employee with lower retention standing is retained in the same competitive level under § 20.304(b) or retained for more than thirty days in the same competitive level under § 20.304(c); and the employee's appeal rights, including the time limit for the appeal and the location of the Commission office to which the appeal should be sent.

§ 20.403 General and specific notices.

When an agency cannot determine specifically all individual actions thirty days before the effective date, it may issue general notices, which must be supplemented by specific notices. The combined contents of the general and specific notices must meet the requirements in § 20.402. When a general notice is issued, the notice period begins on the day after the employee receives the general notice. An agency may cancel an unexpired general notice or may renew it for additional periods within the ninety days' maximum period specified in § 20.401. A general notice expires thirty days after receipt unless, within that time, the employee receives a renewal of the general notice or a specific notice. When a general notice and a specific notice are issued, the personnel action finally decided upon shall not be taken until at least five days after the employee receives the specific notice.

§ 20.404 General notice contents.

A general notice shall inform the employee that action under this part may be necessary, but that no specific action has been determined in his case. The notice shall state that as soon as it can be determined whether he will be retained, furloughed, or separated, he will be informed by a specific notice stating the action to be taken. The general notice shall state that it will expire if it is not followed within thirty days by a renewal or by a specific notice. A general notice shall inform the employee that he should not appeal to the Commission before he receives a specific notice. It may include any of the other information specified in § 20.402.

§ 20.405 Expiration of notices.

A general notice expires as specified in § 20.403. Any notice expires unless it is followed by the action specified, or by an action less severe than that specified, in the notice or in an amendment to the

notice made before the action is taken. The action shall not be effected earlier than the effective date specified in the specific notice. An action taken after the date specified shall not be ruled invalid unless it is challenged by an employee with higher retention standing in the competitive level, who is reached for reduction-in-force action out of order as a result of the action, or unless it results in a notice period longer than the maximum allowable.

§ 20.406 New notice required.

A new notice of at least thirty full days is required when the action to be taken is more severe than that first specified.

§ 20.407 Status during notice period.

Wherever possible, the employee shall be retained on active duty during the notice period, but may be placed on annual leave with or without his consent, on leave without pay with his consent, or he may be placed in a nonpay leave status without his consent in an emergency when there is a lack of work or a lack of funds for all or part of the notice period. The reasons for any time without pay during the notice period will be reviewed upon the request of the employee if he appeals to the Commission.

Subpart E-Appeals

§ 20.501 Initial appeal.

(a) Employee appeals to the Commission. Any employee who receives a notice of specific action and who believes that the regulations in this part have not been correctly applied may appeal to the appropriate office of the Commission. The appeal may be filed at any time after the employee receives the notice of specific action but not later than ten days after the effective date of the action.

(b) Reemployment priority list appeals. Any employee or former employee who thinks his reemployment priority rights under Subpart F of this part have been violated may appeal to the Commission by presenting factual information that he was improperly denied reemployment because of the employment of another person

ployment of another person.

(c) Extension of time limit. The time limit specified in paragraph (a) of this section may be extended in the discretion of the Commission upon a showing by the appellant that he was not notified of the applicable time limit and was not otherwise aware of the time limit, or that circumstances beyond his control prevented him from filing an appeal within the prescribed time limit.

(d) Contents of appeal. An appeal to the Commission shall (1) be in writing, (2) identify the appellant, the agency, and the nature and effective date of the action appealed, and (3) state the reasons why the appellant believes the action appealed to be improper.

§ 20.502 Failure to prosecute.

An appeal will be closed for failure to prosecute when the appellant does not furnish required information and duly proceed with the advancement of his appeal. In lieu of closing for failure to

prosecute, an appeal may be adjudicated if the information is sufficient for that purpose. A closed appeal will not be reopened except in the discretion of the Commission upon a showing that circumstances beyond the control of the appellant prevented him from prosecuting the appeal.

§ 20.503 Death of appellant.

A proper appeal filed prior to the death of an appellant will be processed to completion and adjudicated. As necessary, a recommendation for corrective action in such an appeal may provide for cancellation of the adverse action and for amendment of the agency's records to show retroactive restoration and continuance on the rolls through the date of death.

§ 20.504 Decision on initial appeal.

(a) Recommendation. The decision on the initial appeal is issued in writing by the Chief, Appeals Examining Office, or by the regional director, as appropriate. The decision will recommend any corrective action which may be necessary.

(b) Copies of decision. A copy of the decision is furnished to the employee, his designated representative, and to the employing agency, with notification of the right of the parties to appeal within seven days to the Board of Appeals and Review, U.S. Civil Service Commission,

Washington 25, D.C.

(c) Agency action. It is mandatory for the agency to take corrective action in accordance with the decision and recommendation, unless an appeal is made to the Board of Appeals and Review.

(d) Report to the Commission. The agency shall report to the Chief, Appeals Examining Office, or to the regional director, as appropriate, within seven days after the receipt of the decision that it has carried the decision into effect or that it is appealing the decision to the Board of Appeals and Review.

§ 20.505 Appellate review.

(a) Appeals to the Board of Appeals and Review. When an employee or an employing agency elects to appeal from a decision of the Chief, Appeals Examining Office, or regional director, such an appeal may be made to the Board of Appeals and Review (hereinafter referred to as the "Board"), U.S. Civil Service Commission, Washington 25, D.C.

(b) Time for filing. An appeal to the Board must be filed within seven days after the date of receipt of the initial decision. This time limit may be extended in the discretion of the Board upon a showing that circumstances beyond the control of the employee or the employing agency prevented the filing of a further appeal within the prescribed seven days.

(c) Form and content. The appeal to the Board must be in writing and must set forth the basis for the appeal.

(d) Personal appearance. In its discretion, the Board may afford the parties an opportunity to appear personally and present oral arguments and representations. No evidence is accepted during such a personal appearance which could

have been submitted in connection with the initial appeal.

(e) Decision. The decision on an appeal to the Board is in writing and is transmitted to the employee, his designated representative, and to the employing agency.

(f) Finality of decision. The decision on an appeal to the Board is final. There is no further right to appeal. A recommendation for corrective action is mandatory and must be complied with by the agency. Where corrective action is required, the agency shall report to the Board promptly that such action has been taken.

§ 20.506 The Commissioners.

The Commissioners may, in their discretion, when in their judgment such action appears warranted by the circumstances, reopen and reconsider any previous decision.

§ 20.507 Correction by agency.

If an employee is restored to his former grade or rate of pay or to an intermediate grade or rate of pay as the result of an agency decision that its action under this part was unjustified or unwarranted, the restoration shall be made retroactively effective to the date of the improper action.

Subpart F-Reemployment Priority

§ 20.601 Reemployment priority list.

Each agency shall establish and maintain a reemployment priority list for each commuting area from which it has separated career or career-conditional employees from competitive positions The name of each of under this part. these employees shall be entered on the reemployment priority list for all competitive positions in the commuting area for which he is qualified and available, except as provided in § 20.602. The name of a career employee shall be continued on the list for two years, and the name of a career-conditional employee for one year, from the date of separation. His name may be deleted from the list upon his signed written request, his acceptance of a nontemporary full-time competitive position in any Federal agency, or his declination of a nontemporary full-time competitive position with a representative rate the same as or higher than that of the position from which separated by reduction in force.

§ 20.602 Employees separated from positions overseas or in Alaska.

career or career-conditional employee separated from a competitive position overseas or in Alaska shall have his name entered on the agency's reemployment priority list for the area in which the position is located only if the employee remains in that area after separation. An employee who leaves the area may, upon request, have his name entered on the agency's reemployment priority list for the commuting area from which he was employed for overseas or Alaskan service, or for another area (except an area overseas or in Alaska) mutually acceptable to the employee and to the agency. An employee's name may be deleted from the list for one of the reasons given in § 20.601, and shall be deleted from a list for an overseas or Alaskan area when he leaves the area covered by that list.

§ 20.603 Restriction in filling positions.

No competitive position in the agency, for which there is a qualified person available on the agency's reemployment priority list, may be filled by the transfer of an employee of a different agency, or by the new appointment of any person except a qualified ten-point preference eligible. Furthermore, no such position may be filled by the reemployment of a person who is not on the reemployment priority list, unless such person is a preference eligible or unless such person is restored under Part 35 of this Chapter. These restrictions shall not apply if all qualified persons on the reemployment priority list decline, or fail to respond to, offers of reemployment to the position. In selections for reemployment from reemployment priority lists, tenure group I employees shall be preferred to tenure group II employees and qualified preference eligibles shall have preference within tenure groups. An exception to these provisions may be made only when necessary to obtain an employee for duties which cannot be taken over, without undue interruption to the activity, by any person on the reemployment priority list or with greater preference on such list. In these cases, each person adversely affected by the exception must be notified of the reasons, and of his right to appeal to the Commission.

UNITED STATES CIVIL SERVICE COMMISSION,
MARY V. WENZEL,
Executive Assistant to
the Commissioners.

[F.R. Doc. 61-1766; Filed, Mar. 1, 1961; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Milk Order 65]

PART 965-MILK IN GREATER CIN-CINNATI MARKETING AREA

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AUTHORITY: §§ 965.0 to 965.92 issued under secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

§ 965.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) Findings upon the basis of the hearing record. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable

rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Greater Cincinnati marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act:

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held:

(4) All milk and milk products handled, by handlers, as defined in the order as hereby amended, are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in milk or its products; and

(5) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, two cents per hundredweight or such amount not to exceed two cents per hundredweight as the Secretary may prescribe, with respect to: (i) all producer milk received during the month, and (ii) other source milk as allocated to Class I during the month pursuant to § 965.46 excluding other source milk on which an administrative assessment is payable pursuant to another Federal order. A handler operating a fluid milk plant which is a nonpool plant shall pay administrative assessments pursuant to § 965.61.

(b) Additional findings. It is necessary in the public interest to make this order amending the order effective not later than April 1, 1961. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator of the Agricultural Marketing Service was issued December 1, 1960 and the decision of the Assistant Secretary containing all amendment provisions of this order, was issued January 19, 1961. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined

that good cause exists for making this order amending the order effective April 1, 1961, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) Determination. It is hereby de-

termined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein

amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who participated in a referendum and who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the greater Cincinnati marketing area shall be in conformity to and in compliance with the terms and conditions of the order, as hereby amended:

§ 965.1 Act.

"Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

§ 965.2 Secretary.

"Secretary" means the Secretary of Agriculture of the United States or any other employee of the United States authorized to exercise the powers and to perform the duties of the said Secretary of Agriculture.

§ 965.3 Greater Cincinnati marketing area.

"Greater Cincinnati marketing area", hereinafter called the "marketing area" means all the territory within the perimeter boundaries of Butler, Clermont, Hamilton and Warren counties, all in the State of Ohio; and Boone, Campbell, Grant, Harrison, Kenton and Pendleton counties, all in the State of Kentucky.

§ 965.4 Person.

"Person" means any individual, partnership, corporation, association, or any other business unit.

§ 965.5 Route.

"Route" means a delivery (including a sale from a store) of milk, buttermilk, flavored milk drinks, or cream in fluid form to a wholesale or retail stop(s) other than to a milk processing plant(s).

§ 965.6 Fluid milk plant.

"Fluid milk plant" means a plant or other facilities used in the preparation or

processing of milk, all or a portion of which is disposed of during the month on a route(s) operated wholly or partially in the marketing area.

§ 965.7 Pool plant.

"Pool plant" means a milk plant, other than a plant operated by a producerhandler, which is:

(a) A fluid milk plant located in the

marketing area:

(b) A fluid milk plant located outside the marketing area and from which not less than 10 percent of the entire route disposition of Class I milk from such plant during the month is disposed of on a route(s) operated wholly or partially within the marketing area; or

(c) A plant which receives milk from persons described in § 965.10(a) and from which an amount of milk or skim milk in fluid form has been moved to a plant(s) described in paragraph (a) or (b) of this section equal to not less than one percent of the total Class I utilization of all plants described in paragraphs (a) and (b) of this section during the second month preceding such movement, as specified in the following schedule:

Months milk is moved.

One of the months of Oc- November. tober and November. Two of the months of Oc-

tober, November, and December.

Three of the months of January through October, November, December, and January.

October.

December.

Months plant is

pool plant

Provided. That upon written request to the market administrator by the operator of a plant which is a pool plant pursuant to this paragraph for the discontinuance of such plant as a pool plant, such plant shall cease to be a pool plant in the first month, following such request, during which no milk is moved to a plant described in paragraph (a) or (b) of this section and shall not become a pool plant until such plant again meets the requirements for a pool plant pursuant to this paragraph.

§ 965.8 Nonpool plant.

"Nonpool plant" means any milk manufacturing, processing or bottling plant other than a pool plant.

965.9 Dairy farmer.

"Dairy farmer" means any person who is engaged in the production of milk.

§ 965.10 Producer.

"Producer" means a dairy farmer, other than a producer-handler, who produces milk on a farm which is approved by a duly constituted health authority for the production of milk for fluid disposition and which milk is:

(a) Permitted by the duly constituted health authority having jurisdiction in the marketing area to be labeled and disposed of as Grade A milk in the

marketing area; and

(b) Received during the month at a pool plant; or

(c) If from a dairy farmer whose milk previously has been received at a pool plant, is either (1) diverted during any of the months of March through August to a nonpool plant for the account of a handler as defined in § 965.11(a) (1); (2)

diverted during the month to a nonpool plant for the account of a handler as defined in § 965.11(b); or (3) diverted during the month from a pool plant to another pool plant for the account of a handler as defined in § 965.11(a) (1) or (b) for not more than two consecutive days of delivery and not more than 10 days of delivery during the month.

§ 965.11 Handler.

"Handler" means (a) any person who operates (1) a pool plant; or (2) a fluid milk plant which is a nonpool plant; or

(b) Any cooperative association with respect to the milk of any producer which is diverted by the cooperative association during the month.

§ 965.12 Producer milk.

"Producer milk" means only that skim milk and butterfat contained in milk (a) received at a pool plant directly from producers during the month, or (b) diverted from a pool plant pursuant to the conditions set forth in § 965.10(c): Provided, That if such diverted milk is from a producer whose milk was physically received from the farm at a pool plant located less than 45 miles from the City Hall in Cincinnati on (1) 60 percent or more of the days of its delivery during the immediately preceding period of September through December or (2) 60 percent or more of the days of its delivery from the date of first delivery to the last day of February in the immediately preceding period of September through February, such milk shall be deemed to have been received by the handler at a pool plant at the same location as the pool plant from which it was diverted. Diverted milk not meeting the conditions specified in subparagraph (1) or (2) of this paragraph shall be deemed to have been received by the handler at a pool plant at the same location as the pool or nonpool plant to which the milk is diverted.

§ 965.13 Producer-handler.

"Producer-handler" means any person who is both a dairy farmer and a handler, but who receives no milk from other dairy farmers: Provided, That such person provides proof satisfactory to the market administrator that (a) the maintenance, care and management of all the dairy animals and other resources necessary to produce the entire amount of milk handled is the personal enterprise of and at the personal risk of such person in his capacity as a dairy farmer, and (b) the operation of a fluid milk plant is the personal enterprise of and at the personal risk of such person in his capacity as a handler.

§ 965.14 Other source milk.

"Other source milk" means all skim milk and butterfat contained in or represented by (a) receipts during the month in the form of fluid milk products except (1) producer milk, (2) such products received from other pool plants, and (3) inventory of fluid milk products at the begining of the month; and (b) products other than fluid milk products from any source (except Class II products from pool plants but including products other than Class II products produced at the pool plant), which are reprocessed, repackaged, or converted to another product during the month or for which other utilization or disposition is not established pursuant to § 965.33.

§ 965.15 Fluid milk product.

"Fluid milk product" means the fluid form of milk, skim milk, buttermilk. flavored milk, milk drink; cream (sweet, cultured, sour or whipped), eggnog, concentrated milk; and any mixture of milk, skim milk or cream (including fluid. frozen or semi-frozen malted milk and milk shake mixtures containing less than 15 percent total milk solids; and excluding frozen storage cream, aerated cream in dispensers, ice cream and frozen dessert mixes, and evaporated and condensed milk).

§ 965.16 Chicago butter price.

"Chicago butter price" means the simple average, as computed by the market administrator, of the daily wholesale selling prices (using the midpoint of any range as one price) per pound of Grade A (92-score) bulk creamery butter at Chicago as reported for the month by the United States Department of Agriculture.

MARKET ADMINISTRATOR

§ 965.20 Designation.

The agency for the administration of this part shall be a market administrator, who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of the Secretary.

§ 965.21 Powers.

The market administrator shall have the following powers with respect to this

(a) To administer its terms and provisions;

(b) To receive, investigate and report to the Secretary complaints of violations;

(c) To make rules and regulations to effectuate its terms and provisions; and (d) To recommend amendments to the Secretary.

§ 965.22 Duties.

The market administrator shall perform all duties necessary to administer the terms and provisions of this part, including but not limited to, the following:

(a) Within 45 days following the date on which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(c) Pay, out of the fund provided by \$ 965.76, the cost of his bond and of the bonds of those of his employees who handle funds entrusted to the market administrator, his own compensation, and all other expenses which will necessarily be incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(d) Keep such books and records as will clearly reflect the transactions provided for in this part, and surrender the same to his successor or to such other person as the Secretary may designate:

(e) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within ten days after the date upon which he is required to perform such acts, has not made reports pursuant to § 965.30 or has not made payments pursuant to §§ 965.70 and 965.72;

(f) Promptly verify the information contained in the reports submitted by

handlers:

(g) Furnish such information and verified reports as the Secretary may request and submit his books and records to examination by the Secretary at any and all times:

(h) Publicly announce, by posting in a conspicuous place in his office and by such other means as he deems approprithe prices determined for each

month as follows:

(1) On or before the 5th day after the end of such month, the minimum class prices computed pursuant to § 965.51 and the butterfat differentials computed pursuant to § 965.52; and

(2) On or before the 20th day after the end of such month the uniform prices computed pursuant to § 965.63, and the producer butterfat differential computed pursuant to § 965.74:

(i) On or before the 13th day after

the end of each month:

(1) Notify each handler of his net obligation pursuant to §§ 965.60 and 965.61 and of any adjustments pursuant to § 965.62: and

(2) Report to each cooperative association the amount and class utilization of milk caused to be delivered by such association, either directly or from producers who have authorized such association to receive payments for them under § 965.73(b), to each handler to whom the cooperative association sells milk. For the purpose of this report the milk so received shall be prorated to each class in the proportions that the total receipts of milk from producers by such handler were used in each class.

(j) Prepare and disseminate, for the benefit of producers, consumers, and handlers, such statistics and information concerning the operation of this part as do not reveal confidential information.

REPORTS, RECORDS AND FACILITIES

§ 965.30 Monthly reports of receipts and utilization.

On or before the 10th day after the end of each month, each handler shall report for such month to the market administrator for each of his pool plants, in the detail and on forms prescribed the market administrator the following:

(a) The total pounds of skim milk and butterfat contained in or represented by:

(1) Producer milk:

(2) Fluid milk products received from other pool plants;

(3) Other source milk; and

(4) Beginning and ending inventories of fluid milk products.

(b) The utilization of all skim milk and butterfat required to be reported pursuant to this section:

(c) Such other information with respect to such receipts and utilization as the market administrator may prescribe;

(d) His producer payroll, which shall show for each producer: (1) The total pounds of milk with the average butterfat test thereof, (2) the amount of the advance payment to such producer made pursuant to § 965.70 and the nature and amount of deductions and charges made by the handler; and

(e) The name and address of each

new producer.

§ 965.31 Other reports.

(a) On or before the 10th day after the end of each month, each handler. except a producer-handler, who operates a nonpool fluid milk plant from which Class I milk is disposed of during the month in the marketing area shall report to the market administrator the quantities of skim milk and butterfat so disposed of; and shall report the information required of handlers operating pool plants pursuant to § 965.30 substituting receipts from dairy farmers for receipts from producers.

(b) Each producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator may prescribe.

§ 965.32 Verification of handler reports.

Each handler shall make available to the market administrator or to his agent, or to such other persons as the Secretary may designate, those records which are necessary for the verification of the information contained in the reports submitted pursuant to §§ 965.30 and 965.31, and those facilities which are necessary for the sampling, weighing, and testing of the milk of each producer.

§ 965.33 Records and facilities.

Each handler required to make reports to the market administrator shall maintain, and make available to the market administrator during the usual hours of business, such accounts and records of his operations and such facilities as in the opinion of the market administrator are necessary to verify reports, or to ascertain the correct information with respect to (a) the receipts and utilization of all skim milk and butterfat received, including all milk products received and disposed of in the same form; (b) the weights and tests for butterfat, and for other contents, of all milk and milk products handled; and (c) payments to producers and cooperative associations.

§ 965.34 Retention of records.

All books and records required under this part to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the calendar month to which such books and records pertain: Provided, That if, within such three-year period, the market administrator notifies a handler in writing that the retention of such books and records, or specified books and records, is necessary in connection with a proceeding under section 8c(15)(A) of the Act or a court action specified in such notice the handler shall retain such books and records, or specified books and records.

until further written notification from the market administrator. In either case, the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are necessary in connection no longer therewith.

CLASSIFICATION

§ 965.40 Basis of classification.

The skim milk and butterfat which are required to be reported pursuant to § 965.30(a) shall be classified by the market administrator, subject to the provisions of §§ 965.41 through 965.46.

§ 965.41 Classes of utilization.

Subject to the conditions set forth in §§ 965.43 and 965.44, the classes of uti-

lization shall be as follows:

(a) Class I milk. Class I milk shall be all skim milk and butterfat (1) disposed of in the form of a fluid milk product, except as provided in paragraph (c) (2) and (3) of this section, and (2) not accounted for as Class II milk or Class III milk;

(b) Class II milk. Class II milk shall be all skim milk and butterfat:

- (1) Used to produce ice cream, frozen desserts, ice cream and frozen dessert mixes (excluding malted milk or milk shake mixtures containing less than 15 percent total milk solids), milk or skim milk and cream mixtures disposed of in containers or dispensers under pressure for the purpose of dispensing a whipped or aerated product, cottage cheese, and cultured mixtures of skim milk and butterfat to which cheese or any food substance other than a milk product has been added in an amount equal to at least 3 percent of the finished product and which contains butterfat equal to not more than 15 percent of the finished product; and
- (2) Inventories of fluid milk products; and
- (c) Class III milk. Class III milk shall be all skim milk and butterfat (1) used to produce butter, frozen cream, spray and roller process nonfat dry milk solids, all cheese (other than cottage cheese), evaporated and condensed milk (or skim milk) either in bulk or hermetically sealed cans; (2) specifically accounted for as dumped, spilled or disposed of for animal feed; (3) disposed of in bulk as milk, skim milk, or cream to any commercial food processing establishment where food products are prepared only for consumption off the premises; (4) actual plant shrinkage allocated to producer milk pursuant to § 965.42 but not in excess of 2 percent of such receipts of skim milk and butterfat, respectively; and (5) actual plant shrinkage allocated to other source milk pursuant to § 965.42.

§ 965.42 Shrinkage.

The market administrator shall allocate shrinkage at the handler's pool plant(s) as follows:

(a) Compute the total shrinkage of skim milk and butterfat, respectively; and

(b) Prorate the resulting amounts between the receipts of skim milk and butterfat, respectively, in producer milk (including producer milk physically re-

ceived as diverted milk from another pool plant and excluding producer milk diverted to another pool plant) and other source milk received in the form of a fluid milk product in bulk.

§ 965.43 Transfers.

Skim milk and butterfat disposed of by a handler from a pool plant shall be classified:

(a) As Class I milk if transferred to the pool plant of another handler in the form of a fluid milk product, unless:

(1) Utilization in another class is claimed by the operators of both plants in their reports submitted pursuant to

§ 965.30; and

- (2) The receiving plant has utilization in the claimed clasification of an equivalent amount of skim milk and butterfat, respectively, after making the assignments pursuant to § 965.46(a) (1), (2), and (3) and the corresponding steps of (b): Provided, That if either or both plants have other source milk, the milk, skim milk or cream so transferred, shall be classified so as to allocate the highestvalued use classification available at both plants to producer milk: And provided further, That milk may be transferred in farm delivery containers from one pool plant to another under the conditions of this paragraph if both such plants are pool plants pursuant to § 965.7 (a) or (b);
- (b) As Class I milk if transferred or diverted as milk, skim milk or cream in fluid form to a fluid milk plant operated by a producer-handler.

(c) As Class I milk if transferred or diverted as milk, skim milk or cream in fluid form in bulk to a nonpool plant

- (1) The handler claims classification in another class and furnishes, on or before the 10th day after the end of the month, to the market administrator, a statement signed by all parties to the transaction that such skim milk and butterfat was used in a lower priced class:
- (2) Books and records are maintained for the nonpool plant showing utilization of all skim milk and butterfat at such plant which are made available, if requested by the market administrator, for the verification of such mutually indicated utilization; and
- (3) An equivalent amount of skim milk and butterfat, respectively, was used at such nonpool plant in the classification(s) claimed. Any amounts in excess of the actual use in such claimed classification(s) shall be assigned to the next highest priced classification to the extent available.

§ 965.44 Responsibility of handlers.

In establishing the classification as required in §§ 965.41 and 965.43, the burden rests upon the handler to account for all skim milk and butterfat received by him and to prove to the market administrator that such skim milk and butterfat, should not be classified as Class I milk.

§ 965.45 Computation of skim milk and butterfat in each class.

For each month the market administrator shall correct for mathematical and for other obvious errors the reports of

receipts and utilization for the pool plant(s) of each handler and shall compute the pounds of butterfat and skim milk in Class I milk, Class II milk, and Class III milk for such handler: Provided, That if any of the water contained in the milk from which a product is made is removed before the product is utilized or disposed of by the handler, the pounds of skim milk disposed of in such product shall be considered to be an amount equivalent to the nonfat milk solids contained in such product plus all of the water normally associated with such solids in the form of whole milk,

§ 965.46 Allocation of skim milk and butterfat classified.

After making the computations pursuant to § 965.45, the market administrator shall determine the classification of producer milk received at the pool plant(s) of each handler during the month as follows:

(a) Skim milk shall be allocated in the

following manner:

(1) Subtract from the total pounds of skim milk in Class III milk the pounds of skim milk in producer milk shrinkage assigned to Class III milk pursuant to § 965.41(c)(4);

(2) Subtract from the remaining pounds of skim milk in each class, in series beginning with the lowest-priced used available, the pounds of skim milk in other source milk less the pounds subtracted pursuant to subparagraph (3) of

this paragraph;

- (3) Subtract from the remaining pounds of skim milk: (i) In Class I milk, the pounds of skim milk received in the form of fluid milk products in consumer packages not larger than one gallon from a plant fully regulated pursuant to Part 971 of this chapter and the pounds of skim milk received in sour cream in consumer packages if such sour cream is priced as Class I pursuant to another order issued pursuant to the Act or as Class II pursuant to Part 941 of this chapter: Provided, That this subdivision shall not apply to skim milk in any product if the same product is processed and packaged in the same size and type of container in the pool plant; and (ii) in each class, in series beginning with the lowest-priced use available, the pounds of skim milk in other source milk received in the form of a fluid milk product, excluding the pounds subtracted pursuant to subdivision (i) of this subparagraph, which is subject to the Class I pricing provisions of an order issued pursuant to the Act.
- (4) Subtract from the remaining pounds of skim milk in each class the skim milk in fluid milk products received from other pool plants according to the classification determined pursuant to §§ 965.41 and 965.43;
- (5) Subtract from the remaining pounds of skim milk, in series from Class II milk and then Class I milk, the pounds of skim milk in inventory of fluid milk products on hand at the beginning of the month; and
- (6) Add to the pounds of skim milk remaining in Class III milk the skim milk subtracted pursuant to subparagraph (1) of this paragraph and if the remaining pounds of skim milk in all classes exceed the pounds of skim milk contained in

producer milk, subtract such excess from the remaining pounds of skim milk in series beginning with the lowest-priced use available.

(b) Butterfat shall be allocated in accordance with the same procedure prescribed for skim milk in paragraph (a) of this section.

MINIMUM PRICES

8 965.50 Basic formula price.

The basic formula price per hundredweight of milk to be used in computing the minimum price for Class I milk shall be the higher of the prices computed by the market administrator pursuant to paragraphs (a) and (b) of this section:

(a) The average of the basic (or field) prices per hundredweight ascertained to have been paid, or to be paid, for milk of 3.5 percent butterfat content received from farmers during such month at the following plants or places for which prices are reported to the market administrator or to the United States Department of Agriculture:

Company and Location

Borden Co., New London, Wis. Borden Co., Orfordville, Wis. Carnation Co., Oconomowoc, Wis. Carnation Co., Richland Center, Wis. Carnation Co., Sparta, Mich. Pet Milk Co., Belleville, Wis. Pet Milk Co., Coopersville, Mich. Pet Milk Co., New Glarus, Wis. Pet Milk Co., Wayland, Mich. White House Milk Co., Manitowoc, Wis. White House Milk Co., West Bend, Wis.

- (b) The price per hundredweight computed by adding together the plus amounts calculated pursuant to subparagraphs (1) and (2) of paragraph:
- (1) Multiply the Chicago butter price by 4.2;
- (2) From the average of carlot prices per pound for nonfat dry milk, spray process, for human consumption f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th of the immediately preceding month through the 25th day of the current month by the United States Department of Agriculture, deduct 6.4 cents and multiply the result by 8.2.

§ 965.51 Class prices.

Subject to the provisions of § 965.52 and § 965.53, the class prices for milk per hundredweight for the month shall be determined by the market administrator as follows:

- (a) Class I milk. The price for Class I milk shall be the basic formula price for the preceding month plus \$1.30, plus or minus a "supply-demand adjustment" of not more than 50 cents computed as
- (1) Divide the total gross pounds of Class I milk set forth in § 965.41 (adjusted to eliminate duplications due to interhandler transfers) in the second and third months preceding by the total pounds of producer milk for the same months, multiply the result by 100, and round to the nearest whole number. The result shall be known as the "Class I utilization percentage";
- (2) For each full percentage point that the Class I utilization percentage is above the applicable maximum base per-

centage listed below increase the Class I price differential by three cents; and for each full percentage point that the Class I utilization percentage is below the applicable minimum base percentage listed below decrease such differential by three cents: Provided, That the Class I differential adjusted pursuant to this sub-paragraph for the month of June shall not be higher than such adjusted differential for the immediately preceding month of May; and that the Class I differential so adjusted for the month of January shall not be less than the adjusted differential for the immediately preceding month of December.

Month for which price is being computed	Base utilization percentages				
The lattice and the	Minimum	Maximum			
January February March April May June July August September October November	67 66 66 67 63 60 53 49 48 51	69 68 68 69 65 62 55 51 50			
December	63	65			

- (b) Class II milk. The price for Class II milk shall be the sum of the plus adjustments computed pursuant to subparagraphs (1) and (2) of this paragraph:
- (1) Multiply the Chicago butter price by 4.13; and
- (2) From the average price for nonfat dry milk spray process, described in paragraph (b) (2) of § 965.50, deduct 5.5 cents and multiply the result by 8.2.
- (c) Class III milk. The price for Class III milk during each of the months of March through August shall be the price computed pursuant to subparagraph (1) of this paragraph; and the price for Class III milk during each of the months of September through February shall be the same as the Class II price;
- (1) The simple average, as computed by the market administrator of the basic (or field) prices per hundredweight ascertained to have been paid for milk of 3.5 percent butterfat content received from farmers during the month at the following plants:

M. and R. Dietetic Laboratories, Inc., Chillicothe, Ohio.

Carnation Milk Co., Hillsboro, Ohio. Nestles Milk Products, Inc., Greenville, Ohio.

Nestles Milk Products, Inc. (Osgood Milk Co.), Osgood, Ind.

Carnation Milk Co., Maysville, Ky.

§ 965.52 Butterfat differentials to handlers.

If the weighted average butterfat test of producer milk which is classified in any class, respectively, for any handler, is more or less than 3.5 percent there shall be added to, or subtracted from, as the case may be, the price for such class. for each one-tenth of one percent that such weighted average butterfat test is above or below 3.5 percent, a butterfat differential calculated by the market administrator as follows:

(a) Class I milk. Add 1.25 cents to the butterfat differential for Class II milk for the preceding month;

- (b) Class II milk. Multiply the Chicago butter price by 118, subtract therefrom the amount computed pursuant to § 965.51(b)(2) and divide the result by 1000; and
- (c) Class III milk. Multiply the Chicago butter price less 5.0 cents by 120, subtract therefrom the amount computed pursuant to § 965.50(b)(2) and divide the result by 1000: Provided, That for each of the months of September through February, the butterfat dif-ferential for Class III milk other than that used to produce butter shall be the same as the butterfat differential for Class II milk for such month.

§ 965.53 Location differentials to handlers.

For that skim milk and butterfat in producer milk received at a pool plant located 30 or more miles by the shortest highway distance from the City Hall in Cincinnati, Ohio, as determined by the market administrator, and which is (a) moved in the form of a fluid milk product or as condensed skim milk or frozen cream to a pool plant located less than 30 miles from the City Hall in Cincinnati, Ohio, or (b) otherwise disposed of or utilized as Class I or Class II milk at such plant, the handlers obligation pursuant to § 965.60, subject to the proviso of this section, shall be reduced at the rate set forth in the following schedule according to the location of the pool plant where such skim milk and butterfat are received from producers as follows:

Distance from City Hall hundredw	
(miles): (cents	
30 but less than 40	6.0
40 but less than 50	8.0
50 but less than 60	10.0
For each additional 10 miles or frac-	
tion thereof an additional	15

Provided, That in the case of transfers made under paragraph (a) of this section, the location differential credit (1) shall apply to the actual weight of the skim milk and butterfat moved, which weight shall not exceed the difference calculated by subtracting from the total pounds of skim milk and butterfat in Class I milk and Class II milk at the transferee's plant the total skim milk and butterfat in producer milk physically received at such plant, and (2) shall be allowed to the transferee-handler if such credit does not exceed the obligation of such handler to the producer-settlement fund for the month.

§ 965.54 Use of equivalent prices.

If for any reason a price quotation required by this part for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price which is required.

COMPUTATION OF UNIFORM PRICE

§ 965.60 Net obligation of each handler.

The net obligation of each handler for producer milk for the month shall be a sum of money computed by the market administrator as follows:

(a) Multiply the pounds of producer milk in each class by the applicable class price and add together the resulting amounts:

(b) Subtract the location differential

credits pursuant to § 965.53;

(c) Add the amounts computed by multiplying the pounds of overage deducted from each class pursuant to \$965.46(a)(6) and the corresponding step of (b) by the applicable class price;

(d) Add the amount computed by multiplying the difference between the applicable Class II price for the preceding month and the applicable Class I price for the current month by the pounds of milk in inventory subtracted from Class I milk pursuant to § 965.46 (a) (5) and the corresponding step of (b); and

(e) Add an amount computed by multiplying the pounds of other source milk subtracted from Class I milk and Class II milk pursuant to § 965.46(a)(2) and the corresponding step of (b) by the difference between the price for milk (of the same butterfat content) in the class from which subtracted and the price computed pursuant to § 965.50(b), adjusted to the same test by the Class III butterfat differential (other than butter): Provided, That for any month when the aggregate utilization of Class I milk for all handlers at pool plants is 90 percent or more of producer milk, no obligations shall be incurred pursuant to: (1) This paragraph, (2) paragraph (d) of this section on milk which is in excess of producer milk classified as Class II milk for the preceding month, or (3) \$ 965.61.

§ 695.61 Handlers operating nonpool fluid milk plants.

On or before the 17th day after the end of each month, each handler, except a producer-handler, operating a nonpool fluid milk plant shall pay to the market administrator the amounts computed pursuant to paragraph (a) of this section, unless the handler elects at the time of reporting pursuant to § 965.31 to pay the amounts computed pursuant to paragraph (b) of this section;

(a) An amount:

(1) For deposit to the producer-settlement fund determined by multiplying the hundredweight of milk disposed of as Class I milk from such plant on routes from which milk is disposed of within the marketing area (less the hundredweight of any Class I milk purchased by such handler during the month from a pool plant), by the amount by which the price of Class I milk computed pursuant to § 965.51, 965.52, and 965.53, exceeds the price computed pursuant to § 965.50 adjusted by the Class III butterfat differential (other than butter); and

(2) For administrative assessment, equal to the rate specified in § 965.76 multiplied by the hundredweight of such Class I skim milk and butterfat disposed of on routes from which Class I milk is disposed of within the marketing area, unless an administrative assessment is applied to milk at such nonpool plant pursuant to another order issued pursuant to the Act on the same basis as plants fully regulated by such other order; or

(b) An amount:

(1) For deposit to the producer-settlement fund, equal to any plus amount remaining after deducting the amounts computed under subdivisions (i) and (ii) of this subparagraph from the obligation that would have been computed pursuant to § 965.60 for such nonpool plant, had such plant been a pool plant.

such plant been a pool plant:

(i) The gross payments made on or before the 17th day after the end of the month for milk received at such nonpool plant during the month from dairy farmers who produce milk in compliance with the Grade A inspection requirements of a duly constituted health authority; and

(ii) Any payments to the producersettlement fund under other orders issued pursuant to the Act applicable to milk handled at such plant during the month as a partially regulated plant

under such other orders;

(2) For administrative assessment, equal to the amount which would have been computed pursuant to § 965.76 if such nonpool plant were a pool plant during the month: Provided, That such amount shall be reduced by any amount paid as an administrative expense assessment determined on the basis of Class I milk disposed of on routes in other marketing areas, pursuant to the terms of other orders issued pursuant to the Act: And provided further, That if less Class I milk is disposed of from such nonpool plant on routes in the Greater Cincinnati marketing area than is disposed of on routes in another marketing area as defined in an order issued pursuant to the Act, and if an administrative expense assessment is applied at such nonpool plant as if a fully regulated plant pursuant to the terms of the order for the marketing area where the volume of Class I milk disposed of from such nonpool plant is greatest, no administrative expense assessment shall be applicable under this order.

§ 965.62 Correction of errors.

Whenever audit by the market administrator of any handler's reports, books, records, or accounts discloses adjustments to be made, for any reason, which result in monies due (a) the market administrator from such handler. (b) such handler from the market administrator, or (c) any producer or cooperative association from such handler, the market administrator shall promptly notify such handler of any such amount due, and payment thereof shall be made on or before the next date for making payment set forth in the provision under which such error occurred, following the 5th day after such notice.

§ 965.63 Computation of uniform prices.

For each month, the market administrator shall compute the uniform price per hundredweight of producer milk of 3.5 percent butterfat content as follows:

(a) Add together the values of milk as computed pursuant to § 965.60 for handlers other than those in arrears in payment (other than in payment for any amount pursuant to § 965.62) to the producer-settlement fund as required by § 965.72 for the preceding month;

(b) Subtract, if the weighted average butterfat test of all producer milk represented in the sum computed under paragraph (a) of this section is greater than 3.5 percent, or add, if the weighted average butterfat test of such milk is less than 3.5 percent, an amount computed as follows: Multiply the hundredweight of such milk by the difference of its weighted average butterfat test from 3.5 percent, and multiply the resulting amount by the butterfat differential computed pursuant to § 965.74 times 10;

(c) Subtract for each of the months of April, May, June, and July an amount computed by multiplying the total hundredweight of milk received from producers during such month by the following amounts: 30 cents in April; 35 cents in May and June; and 20 cents in July;

(d) Add for each of the months of September, October, November, and December an amount computed by dividing by four the total amount of the obligated balance in the producer-settlement fund pursuant to \$965.71(b) on September 30 of such year;

(e) Add the sums of the values of the location differentials allowable pursuant

to § 965.75;

(f) Add the unobligated balance in the producer-settlement fund;

(g) Divide by the total hundredweight of producer milk pooled pursuant to paragraph (a) of this section; and

(h) Subtract not less than four cents or more than five cents per hundredweight.

PAYMENTS FOR MILK

§ 965.70 Payments to producers.

On or before the 5th day after the end of each month, each handler shall pay to each producer \$1.00 per hundredweight of milk received from such producer during the month: Provided, That in the event the total amount of deductions and charges authorized by any producer against payments due such producer for the month next preceding is greater than the payment computed for such producer pursuant to § 965.73(a) with respect to the milk received from such producer during such preceding month, the handler may deduct from the payment required by this section a sum equal to the difference between such amounts.

§ 965.71 Producer-settlement fund.

The market administrator shall establish and maintain a separate fund, known as the "producer-settlement fund", which shall function as follows:

(a) All payments made by handlers pursuant to \$\$ 965.61(a) (1) and (b) (1) and 965.72 shall be deposited in this fund, and all payments made pursuant to \$ 965.73 shall be made out of this fund;

(b) All amounts subtracted pursuant to § 965.63(c) shall be deposited in this fund and shall remain therein as an obligated balance until withdrawn for the purpose of effectuating § 965.63(d); and

(c) The difference between the amount added pursuant to § 965.63(f) and the amount resulting from the subtraction pursuant to § 965.63(h) shall be deposited in, or withdrawn from, this fund, as the case may be.

§ 965.72 Payments to producer-settlement fund.

On or before the 17th day after the end of each month, each handler shall pay to the market administrator his obligation for milk for such month of which he is notified pursuant to § 965.22(i) (1) less the amount paid out to each producer in accordance with § 965.70, and less the amount of the deductions and charges authorized by such producer which are itemized on the handler's producer payroll: Provided, That in the calculation of the total amount of such deductions and charges to be subtracted, the deductions and charges to be considered with respect to each individual producer shall not be greater than an amount which, when added to the payment made to such producer in accordance with § 965.70 (inclusive of the deductions and charges authorized by § 965.70) will not exceed the total value of the milk received from such producer.

§ 965.73 Payments from producer-settlement fund.

- (a) The market administrator shall compute the payment due each producer for milk received during the month from such producer by a handler(s) who made the payments for such month pursuant to \$ 965.72, by multiplying the hundredweight of such milk by the uniform price computed pursuant to \$ 965.63 adjusted by the location differential pursuant to \$ 965.74, and subtracting any charges and deductions made pursuant to \$ 965.72.
- (b) On or before the 20th day after the end of each month, the market administrator shall pay, subject to the provisions of § 965.77:
- (1) Direct to each producer who has not authorized a cooperative association to receive payments for such producer, the amount of the payment calculated for such producer pursuant to paragraph (a) of this section; and
- (2) To each cooperative association authorized to receive payments due producers who market their milk through such cooperative association, the aggregate of payments calculated pursuant to paragraph (a) of this section, for all producers certified to the market administrator by such cooperative association as having authorized such cooperative association to receive such payments.

§ 965.74 Butterfat differential to producers.

In computing the payments due each producer for milk pursuant to § 965.73, there shall be added to or subtracted from the uniform price per hundredweight for each one-tenth of one percent of butterfat content in such milk above or below 3.5 percent, as the case may be, a butterfat differential computed by the market administrator as follows:

(a) Compute the percentage of the total butterfat in producer milk assigned to each class pursuant to § 965.46;

(b) Multiply each such percentage figure by the butterfat differential for the respective class pursuant to § 965.52; and

(c) Add into one total the value obtained in paragraph (b) of this section, rounding off the result to the nearest even one-tenth cent.

§ 965.75 Location differentials to producers.

In computing the payment due each producer pursuant to § 965.73, the uniform price for producer milk at a pool plant located 30 or more miles by the shortest hard surfaced highway distance from the City Hall in Cincinnati, Ohio, as determined by the market administrator, shall be reduced at the rate set forth in the following schedule according to the location of the pool plant where such milk is received from producers:

	e per edweight
	nts)
30 but less than 40	- 6.0
40 but less than 50	- 8.0
50 but less than 60	10.0
Each additional 10 miles or fraction	n
thereof an additional	

§ 965.76 Expense of administration.

As his pro rata share of the expense incurred in the maintenance and functioning of the office of the market administrator and in the performance of the duties of the market administrator. each handler shall pay to the market administrator, on or before the 17th day after the end of each month, two cents per hundredweight or such lesser amount as the Secretary may from time to time prescribe, with respect to: (a) all producer milk received during the month; and (b) other source milk as allocated to Class I during the month pursuant to § 965.46 excluding other source milk on which an administrative assessment is payable pursuant to another Federal order. A handler operating a fluid milk plant which is a nonpool plant shall pay administrative assessments pursuant to § 965.61.

§ 965.77 Marketing services.

The market administrator shall deduct an amount not exceeding six cents per hundredweight (the exact amount to be determined by the market administrator) from the payments made pursuant to § 965.73(b), with respect to the milk of those producers for whom the marketing services set forth in paragraph (b) of this section are not being performed by a cooperative association which the Secretary determines to be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act", for the purpose of performing the services set forth in paragraph (b) of this section.

(b) The moneys received by the market administrator pursuant to paragraph (a) of this section shall be expended by the market administrator for market information to, and for the verification of weights, samples, and tests of milk of, producers for whom a cooperative association, as described in paragraph (a) of this section, is not performing the same services on a comparable basis, as determined by the market administrator, subject to review of the Secretary.

§ 965.78 Termination of obligation.

- (a) The obligation of any handler to pay money required to be paid under the terms of this part shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address and it shall contain, but need not be limited to, the following information:
- (1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to a cooperative association, the name of such producers or cooperative association, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator or his representatives all books and records required by this part to be made available, the market administrator may within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this part to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this part, shall terminate two years after the end of the calendar month during which milk involved in the claim was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c(15)(A) of the act, a petition claiming such money.

EFFECTIVE TIME, SUSPENSION OR TERMINATION

§ 965.80 Effective time.

The provisions of this part, or any amendments to this part shall become

effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

§ 965.81 Suspension or termination.

Any or all provisions of this part, or amendments to this part, shall be suspended or terminated as to any or all handlers after such reasonable notice as the Secretary may give, and shall terminate in any event, whenever the provisions of the act authorizing it cease to be in effect.

§ 965.82 Continuing power and duty of the market administrator.

If upon the suspension or termination of any or all provisions of this part, there are any obligations arising under this part, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: Provided, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate. The market administrator, or such other person as the Secretary may designate, shall continue in such capacity until removed by the Secretary, account from time to time for all receipts and disbursements and, when so directed by the Secretary, deliver all funds on hand, together with the books and records of the market administrator, or such other person to such person as the Secretary shall direct, and execute, if so directed by the Secretary, such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

§ 965.83 Liquidation after suspension or termination.

Upon the suspension or termination of any or all provisions of this part the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions of this part, over and above the amount necessary to meet outstanding obligations and the expense necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 965.90 Agents.

The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this part.

§ 965.91 Separability of provisions.

If any provision of this part, or its application to any person or circumstances, is held invalid the application of such provision, and of the remaining provisions of this part, to other persons or circumstances shall not be affected thereby.

§ 965.92 Plants subject to other Federal orders.

The provisions of this part shall not apply to a fluid milk plant or a supply plant during any month in which the milk at such plant would be subject to the classification and pricing provisions of another order issued pursant to the act unless such plant meets the requirements for a pool plant pursuant to § 965.7 and a greater volume of fluid milk products is disposed of from such plant to pool plants and to retail or wholesale outlets located in the Greater Cincinnati marketing area than in the marketing area regulated pursuant to such other order during the current month and each of the three months, immediately preceding: Provided, That the operator of a fluid milk plant or a supply plant which is exempted from the provisions of this order pursuant to this section shall, with respect to the total receipts and utilization or disposition of skim milk and butterfat at the plant, make reports to the market administrator at such time and in such manner as the market administrator may require and allow verification of such reports by the market administrator.

Issued at Washington, D.C., this 27th day of February 1961, to be effective on and after the 1st day of April 1961.

ORVILLE L. FREEMAN, Secretary.

[F.R. Doc. 61-1806; Filed, Mar. 1, 1961; 8:49 a.m.]

Chapter XI—Agricultural Conservation Program Service, Department of Agriculture

[ACP-1961, Supp. 3]

PART 1101—NATIONAL AGRICUL-TURAL CONSERVATION

Subpart-1961

INITIAL TREATMENT OF FARMLAND TO PER-MIT THE USE OF LEGUMES AND GRASSES FOR SOIL IMPROVEMENT AND PROTECTION

The present wording of § 1101.1052 as it applies to the 1961 Agricultural Conservation Program provides that if liming materials are applied to land which is not devoted to eligible grasses and legumes, the land must be seeded to eligible grasses and legumes in 1961 or 1962, unless the farmer is prevented from seeding the eligible grasses and legumes within such period because of conditions beyond his control. It is desirable that these materials be applied well ahead of the time when eligible seedings are made. Due to climatic conditions, crop rotations, and other conditions, the period within which eligible grasses and legumes may be seeded varies in different States. The

purpose of this amendment to § 1101.1052 is to permit desirable variations in the period within which eligible grasses and legumes are to be seeded. The period within which eligible grasses and legumes are to be seeded will be based upon the recommendation of the State Agricultural Conservation Program Development Group and will be specified in the State program.

Section 1101.1052 is amended, for purposes of the 1961 program, to read:

§ 1101.1052 Practice A-4: Initial treatment of farmland to permit the use of legumes and grasses for soil improvement and protection.

This practice is applicable only to farmland devoted in 1961 to legumes (other than vegetable or truck crops. soybeans, mungbeans, and peanuts) or perennial grasses, and to farmland which the county committee determines will be devoted to such eligible uses not later than a date specified in the State program. Federal cost-sharing will be limited to the application of liming materials, rock phosphate, and gypsum or other sulphur-bearing materials. Other forms of phosphate materials are eligible for cost-sharing under other practices involving the establishment or improvement of vegetative cover. Cost-shares paid or advanced for materials supplied under this practice will not be considered as earned unless the land is devoted to eligible grasses and legumes at the time the materials are applied or is seeded to eligible grasses and legumes by the time specified in the State program, unless the farmer is prevented from seeding the eligible grasses and legumes within such period because of conditions beyond his control.

(Sec. 4, 49 Stat. 164, secs. 7-17, 49 Stat. 1148, as amended; 16 U.S.C. 590d, 590g-590q)

Done at Washington, D.C., this 27th day of February 1961.

ORVILLE L. FREEMAN, Secretary.

[F.R. Doc. 61-1839; Filed, Mar. 1, 1961; 8:54 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business
Administration

[Revision 1]

PART 108—LOANS TO STATE AND LOCAL DEVELOPMENT COMPANIES

The Loans to State and Local Development Companies Regulation (23 F.R. 10511), as amended (25 F.R. 1398, 25 F.R. 5375 and 25 F.R. 9888), is hereby rescinded in its entirety and the following revision of the Loans to State and Local Development Companies Regulation and amendments 1 through 3 thereto is substituted in lieu thereof:

GENERAL

108.1 Policy. 108.2 Definitions.

108.2 Definitions.
108.3 Procedures for loan applications.

LOANS UNDER SECTION 501

Sec. 108.501 Statutory provision. 108.501-1 Section 501 loans.

LOANS UNDER SECTION 502

108.502 Statutory provision. 108.502-1 Section 502 loans.

AUTHORITY: §§ 108.1 to 108.502-1 issued under sec. 5, Pub. Law 85–536, sec. 201 and sec. 308, Pub. Law 85–699.

GENERAL

§ 108.1 Policy.

As part of the Congressional policy to improve and stimulate the national economy in general, and the smallbusiness segment thereof in particular, by establishing a program to stimulate the flow of private equity capital and long-term loans for the sound financing of the operations, growth, expansion and modernization of small-business concerns, the Small Business Administration is authorized to make loans to State and local development companies which will further that policy. This policy shall be carried out in such manner as to insure the maximum participation of private financing sources. No such loan shall be made if the effect thereof will be to cause a substantial increase of unemployment in any area of the country.

§ 108.2 Definitions.

For purposes of this part:

(a) "Administrator" means the Administrator of the Small Business

(b) "SBA" means the Small Business Administration.

(c) "Small-business concern" means a business concern which would qualify as a small business under § 121.3–11 of this chapter.

(d) (1) "Development company" means an enterprise incorporated under the laws of one of the several States, formed for the purpose of furthering the economic development of its community and environs, and with authority to promote and assist the growth and development of small-business concerns in the areas covered by their operations. Such corporation may be organized either as a profit or non-profit enterprise. A State development company is a corporation organized under or pursuant to a special legislative Act to operate on a statewide basis. A local development company is a corporation chartered under any applicable State corporation law to operate in a specified area within a State.

(2) A local development company shall be principally composed of and controlled by local persons residing or doing business in the locality; such local persons shall ordinarily constitute not less than 75 percent of the ownership of the development company. No shareholder or member of the development company may own an interest in excess of 25 percent in the development company if he and his affiliated interest have a direct pecuniary interest in the project involving the section 502 loan or in the smallbusiness concern which is to be assisted. The primary objective of the development company must be benefit to the community as measured by increased

employment, payroll, business volume and corresponding factors rather than monetary profits to its shareholders or members; any monetary profits or other benefits which flow to the shareholders or members of the local development company must be merely incidental thereto.

(e) "Section 501 loan" means a loan authorized under section 501 of the Small Business Investment Act of 1958, as amended.

(f) "Section 502 loan" means a loan authorized under section 502 of the Small Business Investment Act of 1958, as amended

(g) "Plant" means any physical facility, including land, owned or acquired by the development company or the small-business concern and employed or to be employed by the small-business concern in the conduct of its business, whether the business be of an industrial, commercial or recreational nature.

§ 108.3 Procedures for loan applica-

(a) Form of application. An application for a section 501 loan shall be made upon SBA Form 501 and for a section 502 loan upon SBA Form 502 and shall include all other pertinent information required in supporting schedules and forms. The application and supporting materials shall be submitted in duplicate if the request is for a direct loan from SBA. If the section 502 loan is to be made in participation with a bank or other lending institution the application and supporting materials shall be submitted in triplicate. Detailed instructions on filling out application forms will be found on SBA Form 501, SBA Form 502, and SBA Form 502B. Copies may be obtained from SBID through the Washington or any field office of SBA.

(b) Place of filing. Application shall be made in the SBA field office serving the area in which the applicant is located, if no bank participation in the loan is available. If a bank participation is available, the application shall be submitted to such bank or other lending institution which will in turn execute the Application for Participation Agreement contained on page 3 of SBA Form 502 and transmit two copies of the application and supporting materials to the SBA field office serving the area in which the applicant or participating institution may be located.

LOANS UNDER SECTION 501

§ 108.501 Statutory provision.

SEC. 501. (a) The Administration is authorized to make loans to State development companies to assist in carrying out the purposes of this Act. Any funds advanced under this subsection shall be in exchange for obligations of the development company which bear interest at such rate, and contain such other terms, as the Administration may fix, and funds may be so advanced without regard to the use and investment by the development company of funds secured by it from other sources.

(b) The total amount of obligations purchased and outstanding at any one time by the Administration under this section from any one State development company shall not exceed the total amount borrowed by it from all other sources. Funds advanced to

a State development company under this section shall be treated on an equal basis with those funds borrowed by such company after the date of the enactment of this Act, regardless of source, which have the highest priority, except when this requirement is waived by the Administrator.

§ 108.501-1 Section 501 loans.

(a) Participation. To insure participation of private financing sources, the State development company shall agree. unless otherwise modified by SBA, that within 30 days after disbursement of the loan and thereafter during the period in which the loan, or any part thereof, remains unpaid, it will maintain portfolio investments or loans, or both, meeting the requirements of paragraph (e) of this section, having a stated outstanding principal value equal to no less than 1331/3 per cent of the unpaid principal of the loan. Deviation from this ratio will be permitted during intervals between repayment or other disposal of such investments or loans and the prompt reinvestment of funds resulting from such repayment or disposal.

(b) Loan amount. Subject to the limitation contained in section 501(b) of the Small Business Investment Act of 1958, as amended, a loan authorized under this authority shall be in such amount as determined by SBA to be consistent with sound business practice.

(c) Repayment of loan. A section 501 loan shall not be made for a term longer than 20 years. Payment of all or any part of a loan may be anticipated without penalty on any interest payment date. Except when the rate of repayment is waived by SBA, such rate shall be adjusted by SBA so that a section 501 loan shall be repaid at no lesser rate than the other debts of the development company which first become due: Provided, however, That at no time will the outstanding amount of a section 501 loan to a development company exceed the limitation set forth in section 501(b) of the Small Business Investment Act of 1958. as amended.

(d) Security. Except where this requirement is waived by SBA, funds advanced to a development company under a section 501 loan shall be secured on an equal basis with those funds borrowed by such company after August 21, 1958, regardless of source. Equal basis does not require that all SBA funds be secured in the highest degree that any other development company funds are secured; however, SBA funds shall be secured on a ratable basis.

(e) Use of proceeds. (1) The proceeds of loans to State development companies shall be used within 30 days after disbursement only to provide equity capital or make long-term loans, or both. to small business concerns. For the purposes of this section a long-term loan or any debt instrument through which equity may be acquired shall have a final maturity of not less than five years. State development companies may use section 501 loan proceeds to acquire capital stock or other equity instruments from, or to relend to, small business concerns in need of assistance to finance their operations, growth, expansion or modernization: Provided, however, That

the authority to acquire with such proceeds an equity or other proprietary interest in a borrower shall extend only to State development companies which are wholly owned and controlled by private interests.

(2) The proceeds of loans to State development companies may not be used

for:

(i) Investments and loans involving enterprises which derive a substantial portion of their gross income from the sale of alcoholic beverages;

(ii) Relending or reinvestment by the

small business concern;

(iii) Purposes contrary to the public interest, including but not limited to gambling enterprises and activities;

(iv) Any purpose which would encourage monopoly or be inconsistent with accepted standards of free enter-

prise

- (v) Use outside the United States: Provided, however, That a State development company may provide funds to a small business concern which is subject to State or Federal jurisdiction, (a) for use in the domestic production of products for distribution abroad, or to acquire abroad materials for such operation or (b) for use in its branch operations abroad or for transfer to its controlled foreign subsidiary in exchange for further equity interest in or the monetary obligation of such foreign subsidiary; so long as the major portion of the assets and activities of such concern, after funds are so employed, remains within the territorial jurisdiction of the United States.
- (f) Interest rate. Interest on section 501 loans shall be five per centum per annum
- (g) Firm commitment. A firm commitment may be given by SBA for a period of one year subject to the payment of a commitment fee computed on the basis of one per centum per annum, beginning with the first day after the first 30 days following the date of the Note.

LOANS UNDER SECTION 502

§ 108.502 Statutory provision.

The Administration may, in addition to its authority under section 501, make loans for plant construction, conversion or expansion, including the acquisition of land, to State and local development companies, and such loans may be made or effected either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis: Provided, however, That the foregoing powers shall be subject to the following restrictions and limitations:

(1) All loans made shall be so secured as reasonably to assure repayment. In agreements to participate in loans on a deferred basis under this subsection, such participation by the Administration shall not be in excess of 90 per centum of the balance of the loan outstanding at the time of disburse-

ment.

(2) The proceeds of any such loan shall be used solely by such borrower to assist an identifiable small-business concern and for a sound business purpose approved by the Administration.

(3) Loans made by the Administration under this section shall be limited to \$250,-000 for each such identifiable small-business

concern.

- (4) Any development company assisted under this section must meet criteria established by the Administration, including the extent of participation to be required or amount of paid-in capital to be used in each instance as is determined to be reasonable by the Administration.
- (5) No loans, including extensions or renewals thereof, shall be made by the Administration for a period or periods exceeding ten years plus such additional period as is estimated may be required to complete construction, conversion or expansion, but the Administration may extend the maturity of or renew any loan made pursuant to this section beyond the period stated for additional periods, not to exceed ten years, if such extension or renewal will aid in the orderly liquidation of such loan. Any such loan shall bear interest at a rate fixed by the Administration.
- (6) No loan shall be made under this section to any local development company after June 30, 1961.

§ 108.502-1 Section 502 loans.

SBA is authorized to make loans to development companies to finance plant construction, conversion or expansion, including the acquisition of land: Provided, That such loans will assist an identifiable small-business concern in accomplishing a sound business purpose: And, provided further, That no loan may be made under this section to any local development company after June 30, 1961

(a) Sound business purpose. A loan will not be considered to be for a sound business purpose (1) if, in any case where the relocation of a small-business concern is involved, the relocation will result in the avoidance by such concern of obligations incurred in the location from which the move is to be made or if the primary incentive for such relocation is a local subsidy; (2) if the concern is being relocated from another area unless there is demonstrated to SBA a need to locate closer to the source of basic materials or to major consumers, or to consolidate operations in one location, or unless such relocation is justified by other reasons satisfactory to SBA; (3) if it is to accomplish an expansion or conversion which is unwarranted in the light of the small-business concern's past experience and management ability; (4) if it will subsidize inferior management; (5) if it provides funds for speculation; or (6) if its effect will be to encourage monopolies or be inconsistent with accepted standards of the American system of free competitive enterprise.

(b) Ineligible categories. A loan will not be made if (1) it provides assistance for an eleemosynary institution; (2) it is to finance the construction, acquisition, conversion or operation of recreational or amusement facilities unless such facilities contribute to the health or general well-being of the public; (3) it will provide assistance to a newspaper, magazine, radio or television broadcasting company or similar enterprise; (4) it provides assistance for a smallbusiness concern, any part of whose gross income or that of any of its principal owners is derived from gambling activities; (5) a substantial portion of the small-business concern's gross income is derived from the sale of alcoholic beverages; or (6) it provides assistance

for a small-business concern primarily engaged in lending or investment.

(c) Collateral. All loans made under this section shall be so secured as reasonably to assure repayment. The nature and value of the collateral as determined by the SBA shall be such that upon liquidation SBA can reasonably expect to be repaid in full. Collateral shall be insured against such hazards and risks as SBA may require.

(d) Loan amount. (1) Loans made by SBA under this section shall be limited to \$250,000 for each identifiable small-business concern. The total unpaid amount of any such SBA loan or loans in aid of a particular small-business concern shall never exceed \$250,000. (2) Development companies may be eligible to be considered for such additional loans of not more than \$250,000 each, as there may be additional identifiable small-business concerns to be assisted.

(e) Participation by the development company. A development company may be required to furnish a reasonable part, as determined by SBA, of the funds necessary to accomplish the plant construction, conversion or expansion, or the acquisition of land. For the purposes of this paragraph, the furnishing of not less than 20 percent of the necessary funds shall generally be considered a reasonable part. SBA may require that the funds to be furnished by the development company be derived from paid-in capital or surplus of the development company as well as from other sources. The amount of paid-in capital to be required will depend in part upon the amount of the loan, the maturity of the loan, the extent to which other borrowings of the development company may be subordinated to the SBA loan and such other factors as the SBA may consider appropriate to the individual case. For the purposes of this section "paid-in capital" is cash and property actually received in exchange for shares of stock issued by the development company or cash and property contributed to the development company without obligation therefor.

(f) Other financing. (1) A loan will not be made unless the development company and the small-business concern shall show to the satisfaction of SBA that the desired financial assistance is not available on reasonable terms.

(2) In the case of a development company, it shall be satisfactorily demonstrated that the desired financing is not available by means of sale of stock in the development company; from funds agreed to be furnished by participating members of the development company; and by means of loans from not less than two lending institutions within the area served by the development company which have a sufficient legal and normal lending limit to cover the loan applied for. If such development company be a public corporation it shall show that such financial assistance is not reasonably available from an appropriation of public funds, nor by the public issuance of its bonds or other means.

(3) In the case of a small-business concern, the demonstration of the unavailability of the desired financial as-

sistance on reasonable terms shall be in accordance with § 120.4–2(a) of this chapter. SBA will rely on the development company's certification as to the unavailability of such other financial assistance to the small-business concern.

(g) Participation by other financial institutions in loans to development companies. In order to stimulate and encourage loans by banks and other lending institutions, the SBA shall require that:

(1) An applicant for a loan show that a participation by another lending institution is not available. No financial assistance shall be extended in participation with another lending institution on an immediate basis unless the applicant shall show that a participation on a deferred basis is not available.

(2) In all agreements to participate in loans on a deferred or immediate basis, the participation by SBA shall not be in excess of 90 percent of the balance of the loan outstanding at the time of disbursement.

(3) Participation charges and service fees shall be in accordance with § 120.4-3 (b) (1) and (3), respectively, of this chapter.

(h) Interest rate. The interest rate on a direct section 502 loan to a development company and on SBA's share of a section 502 loan made in participation with another lending institution shall be 5½ percent per annum: Provided, however, That where the interest on the share of the loan of the bank or other lending institution in a deferred or immediate participation loan is less than 5½ percent per annum, then the rate on SBA's share of the loan shall be at the same rate but not less than 5 percent per annum. For the purposes of this paragraph, bank's share of a deferred participation shall be the entire amount of the loan until such time as SBA shall actually purchase its participation.

(i) Loan maturity. The maturity of any loan under this section may not exceed ten years plus such additional period as is estimated may be required to complete construction, conversion or expansion. It shall be the policy of SBA generally, in the case of a lease agreement between a local development company and an identifiable small-business concern, to require that the term of the lease shall be not less than the term of the loan. It shall also be the policy of SBA generally to require repayment of the loan in equal periodic installments. Extensions or renewals of loans for an additional period not to exceed ten years beyond the stated maturity may be granted by SBA only if such extensions or renewals will aid in the orderly liquidation of such loans.

(j) Use of proceeds. (1) Prior to approval and disbursement of a section 502 loan the development company shall submit evidence, satisfactory to SBA, that the proceeds of such loan will be used for plant construction, conversion, expansion or the acquisition of land, solely to assist an identifiable small-business concern.

(2) The identifiable small-business concern, under agreement existing at the time of such disbursement, shall be entitled or permitted to possess and use, as owner or tenant, the plant which is constructed, converted or expanded, with the proceeds of said loan.

(3) Evidence, satisfactory to SBA, shall be submitted, prior to approval and disbursement of said loan, that the identifiable small-business concern intends or has the right to use the said plant during a period of time equal at least to the maximum contract term of the section 502 loan or five years after full disbursement of the section 502 loan, whichever is the longer period; and that use of said proceeds will assist only the identifiable small-business concern. Evidence of such intent and purpose shall be deemed to exist where the proceeds of the section 502 loan will be used by the development company:

(i) To relend to the identifiable smallbusiness concern for construction, conversion or expansion of a plant owned, occupied and used by said concern;

(ii) To construct, convert or expand a plant to be sold immediately to the identifiable small-business concern for its occupancy and use;

(iii) To construct, convert or expand a plant owned by the development company to be leased to the identifiable small-business concern with the right in such concern to apply rentals, under a purchase option arrangement, on the purchase price of the plant; or

(iv) To construct, convert or expand a plant owned by the development company to be leased to the identifiable small-business concern without a purchase option arrangement but with the right in such concern to occupy the plant during a period of time equal at least to the maximum contract term of the section 502 loan or five years after full disbursement of the section 502 loan, whichever is the longer period;

upon terms between the development company and said concern intended to provide the development company with total funds not in excess of those necessary: to repay, with interest, the section 502 loan; for applicable taxes upon and maintenance of the plant; to recover administrative costs; to provide a reasonable sum as a reserve for contingencies to cover unusual costs or expenses; and to recover capital investments and expenditures of the development company's own funds in the project with a reasonable return on such capital investments and expenditures as may be necessary to attract and maintain a broad base of ownership and membership and interest in continuing local development projects.

Effective date. This revision shall become effective upon publication in the Federal Register.

Dated: February 24, 1961.

JOHN E. HORNE, Administrator.

[F.R. Doc. 61-1841; Filed, Mar. 1, 1961; 8:54 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B-FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EX-EMPTIONS F R O M TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COM-MODITIES

Tolerance for Residues of 1-Naphthyl N-Methylcarbamate

A petition was filed with the Food and Drug Administration by Union Carbide Corporation, 270 Park Avenue, New York, New York, requesting the establishment of a tolerance for residues of I-naphthyl N-methylcarbamate, in or on filberts at 5 parts per million.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purpose for which a tol-

erance is being established.

After consideration of the data submitted in the petition and other relevant material which show that the tolerance established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR 120.169; 25 F.R. 3837, 5453) are amended by adding a new paragraph providing for a tolerance for this pesticide chemical on filberts. All paragraph designations are deleted to facilitate future amendments. As amended, § 120.169 reads as follows:

§ 120.169 Tolerances for residues of 1-naphthyl N-methylcarbamate.

Tolerances are established for residues of 1-naphthyl N-methylcarbamate, including its hydrolysis product 1-naphthol calculated as 1-naphthyl N-methylcarbamate, in or on raw agricultural commodities as follows:

25 parts per million in or on corn fodder and forage.

10 parts per million in or on apples, bananas, beans, cherries, cucumbers, eggplants, grapes, peaches, pears, peppers, plums (fresh prunes), strawberries, summer squash, tomatoes.

5 parts per million in or on corn (kernels and kernels plus cob, determined after removing husks present when marketed), cottonseed.

5 parts per million in or on filberts (hazelnuts) of which residue not more than 1 part per million shall be in or on the nuts after shell is removed and discarded.

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a (d)(2))

Dated: February 17, 1961.

GEO. P. LARRICK, [SEAL] Commissioner of Food and Drugs.

[F.R. Doc. 61-1803; Filed, Mar. 1, 1961; 8:49 a.m.]

PART 121-FOOD ADDITIVES

Subpart A-Definitions and Procedural and Interpretative Regulations

EXTENSION OF EFFECTIVE DATE OF STATUTE FOR CERTAIN SPECIFIED FOOD ADDITIVES

The Commissioner of Food and Drugs. pursuant to the authority provided in the Federal Food, Drug, and Cosmetic Act (sec. 6(c), Public Law 85-929; 72 Stat. 1788; 21 U.S.C., note under sec. 342) and delegated to him by the Secretary of Health, Education, and Welfare (25 F.R. 8625) hereby authorizes the use in foods of the following substances, under the conditions prescribed in this order

- 1. Section 121.86 is amended by adding thereto the following items:
- § 121.86 Extension of effective date of statute for certain specified food additives as direct additives to food.

On the basis of data supplied in accordance with § 121.85 and findings that no undue risk to the public health is involved and that conditions exist that make necessary the prescribing of an additional period of time for obtaining tolerances or denials of tolerances or for granting exemptions from tolerances, the following additives may be used in food, under certain specified conditions, for a period of 1 year from March 6, 1960, or until regulations shall have been issued establishing or denying tolerances or exemptions from the requirements of tolerances, in accordance with section 409 of the act, whichever occurs first:

Product	Limits	Specified uses or restrictions
Diethylene glycol monostearate	10 parts per million	Constituent of defoamer used in processin of skim milk for animal feed.
Formaldehyde (37%)	0.04 part per million	Constituent of defoamer used in the processing of skim milk for animal feed; in the manufacture of beet sugar.
Kinogum (Pterocarpus marsupium) Mineral oil	40 parts per million	Flavoring in bitters and tonics. Constituent of defoamer used in production of yeast.
Polyethylene glycol monoricinoleate	8 parts per million	Constituent of defoamer used in production of yeast.
Polyoxyethylene (4) lauryl ether	1.8 parts per million	Constituent of coating on fruits and vege
Soybean fatty acids, hydroxylated	63 parts per million	Constituent of defoamer used in production of veast.
Tallow fatty acids	4 parts per million	Constituent of defoamer used in processin
Tallow, hydrogenated	2 parts per million	Constituent of defoamer used in the pro- essing of skim milk for animal feed.
Tallow, oxidized	40 parts per million	Constituent of defoamer used in the production of yeast.
Tallow, sulfated	16 parts per million	Constituent of defoamer used in the pro- essing of skim milk for animal feed.
Tallow, unbleached	10 parts per million	Do.
Wax, paraffin Type I: A congealing point of 160° F.	5 parts per million	duction of yeast; processing of skim mil
maximum (ASTM D-938), an absorp-	一百元 日本	for animal feed; in the manufacture
tivity at 290 millimicrons of 0.04 liter per gram centimeter maximum (ASTM	THE PERSON NAMED IN	beet sugar.
E-121), an oil content of 1.5% maxi-	· 图像	
mum (ASTM D-721), and a Saybolt color of 20 minimum (ASTM D-156).		
Type II: Absorptivity at 290 millimicrons		
of 1.0 maximum, an oil content of 5.0% maximum, and a color of 3.0 maximum (ASTM D-1500).	新加州	

2. In § 121.87, paragraph (a) is amended by adding thereto the following item:

§ 121.87 Extension of effective date of statute for certain specified food additives as indirect additives to food.

(a) General list. * * *

Product	Limits	Specified uses or restrictions
* * *	* * *	
Oleic acid and/or stearic acid salt of sodium salt of hydrolyzed protein.		Used in manufacture of paper and paper-board.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since extensions of time, under certain conditions, for the effective date of the food additives amendment to the Federal Food, Drug, and Cosmetic Act were contemplated by the statute as a relief of restrictions on the food-processing industry.

Effective date. This order shall become effective as of the date of signature. (Sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 371. Interpret or apply 72 Stat. 1788; 21 U.S.C., note under sec. 342)

Dated: February 23, 1961.

GEO. P. LARRICK, [SEAL] Commissioner of Food and Drugs.

[F.R. Doc. 61-1802; Filed, Mar. 1, 1961; 8:49 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER D-MILITARY EDUCATION

PART 846-INSTITUTE OF TECHNOLOGY (IT)

New §§ 846.0 to 846.7 are added as

846.0 Purpose.

846.1 Mission. How the IT is organized and operated. 846.2

What the IT will do. 846.3

846.4 Academic degrees. Professional education and training-846.5

with-industry program. 846.6 Special short courses.

846.7 Medical postgraduate courses.

AUTHORITY: §§ 846.0 to 846.7 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply 10 U.S.C. 9301, 9314.

Source: AFR 53-11, November 16, 1960.

§ 846.0 Purpose.

Sections 846.0 to 846.7 state the mission of the Institute of Technology (IT). They outline the IT's role in Air Force educational and training programs; announce policies for planning and conducting IT programs; state general eligibility criteria for participation.

§ 846.1 Mission.

The mission of the IT is to provide education and training in scientific, engineering, managerial, medical, and other fields as directed by Headquarters USAF.

§ 846.2 How the IT is organized and operated.

The IT is an educational institution located on Wright-Patterson Air Force Base, Ohio. It is organized and operated under the command jurisdiction of Comwith the policies established by Headquarters USAF.

§ 846.3 What the IT will do.

(a) The IT will plan, organize, conduct, and/or administer educational and training programs in residence and at selected civilian educational institutions and industrial organizations in accordance with directives from Headquarters TISAF.

(b) In developing IT educational programs, the following policies will prevail:

(1) Programs will be established to improve the professional competence of career officers in specific Air Force Career Areas, Utilization Fields, and Specialties.

- (2) Programs will be planned and developed in terms of the Air Force requirement for which they were established. The Air Force Educational Requirements Board will provide information for the development of educational programs in residence and in cooperation with civilian institutions.
- (3) Programs will provide sufficient flexibility to allow each officer's experience and academic background to be considered in the development of his curriculum.
- (4) The curriculum followed by each officer will enable him to reach the proficiency required by the Air Force need for which he is being educated in the minimum period of time.

(5) Programs will be planned so as to provide for the admission of all officers selected by Headquarters USAF.

(6) An academic degree will be an objective when the foregoing criteria have been met and when the educational program developed in support of an Air Force requirement is degree worthy. In view of the recognized value of the degree, minor modifications that do not compromise the requirement, or increase the cost or length of a program, may be made in an officer's curriculum.

(c) Admission standards for IT programs will be developed in terms of the policies established by Headquarters USAF for the operation of the programs and the educational background and experience of the officer corps from which the students are drawn. The problem of admission will further be considered in terms of the adult officer corps, and the particular career officers within the corps whom it is most desirable to educate from an Air Force viewpoint. Full use will be made of tests and other measures of aptitude and achievement to determine officers' qualifications for further education.

(d) Headquarters USAF will establish quotas for the various fields of study for IT programs unless otherwise specified by §§ 846.0 to 846.7.

(e) Civilian institutions will be utilized to provide education and training required by the Air Force when they are able to meet the needs of the Air Force.

(f) When education or training authorized under §§ 846.0 to 846.7 is conducted in a resident program, priority will be given to filling resident program

(g) The Commandant, IT, will make all agreements and contractual nego-

mander, Air University, in accordance tiations with civilian educational and industrial organizations to provide education and/or training authorized by §§ 846.0 to 846.7. Agreements and negotiations with Government-operated schools will be carried out in accordance with instructions furnished by Headquarters USAF.

(h) Only career officers, Regular and Reserve, will be entered into the IT Professional Education Program. Reserve officers with an established date of separation may be issued letters of eligibility for training by the Com-mandant, IT. To determine their availability for training these officers may complete applications and forward them to Headquarters USAF. When Headquarters USAF selects such officers for schooling, each officer must elect to sign a career reserve statement and be approved for career Reserve status before entrance into an educational program. All officers selected to attend the IT will be required to indicate knowledge of the service commitment they will incur. This acknowledgment will be included as part of the officer's application.

(i) Headquarters USAF will control the initial assignment of Air Force officers completing IT programs other than those classed as TDY courses. officers will be assigned to periods of directed duty appropriate to Air Force

training programs.

(j) The maximum length of each educational program authorized by §§ 846.0 to 846.7 will be established by Headquarters USAF at the time the program is authorized. Students will complete their study within the period of time authorized for the particular program to which they are assigned or in a lesser period of time when they can do so. Headquarters USAF may extend an academic tour when a student's work has been interrupted due to illness or other circumstances beyond his control. In no instance will an officer be retained in an IT program beyond the length of time specified for the program without prior approval of Headquarters USAF. An officer may be eligible for a second tour in IT programs after completing an interim duty assignment of at least 3 years. The total time a student may be in IT education, including prior training-with-industry programs and extensions, will not exceed 48 months. Tours of duty of officers of the Medical Service engaged in residency training in any of the medical or dental specialties will not be limited by the foregoing but will be established by the Surgeon General, USAF, to conform to requirements of the appropriate national accrediting agencies.

§ 846.4 Academic degrees.

(a) Section 9314, title 10, United States Code, authorizes the Commander, Air University, to confer appropriate academic degrees on persons who meet established requirements for degrees in fields of study conducted by the IT Resident Program.

(b) The academic requirements for obtaining degrees at the IT parallel the requirements for similar degrees in colleges and universities. Degree requirements are established by the IT and approved by Air University and Headquarters USAF.

§ 846.5 Professional education and training-with-industry programs.

(a) Description. (1) The IT offers undergraduate and graduate level educational programs at Wright-Patterson Air Force Base and in civilian institutions. Courses of study authorized vary from year to year as determined by Air Force requirements.

(2) The IT School of Engineering, School of Logistics, and Civil Engineering Center offer educational training programs that are peculiar to the needs of the Air Force. Programs are established as directed by Headquarters TISAF

(3) Training-with-Industry programs provide Air Force officers with on-thejob training at various industrial concerns so that they may gain an understanding of their operations in support of the national defense effort. Students assigned to these programs receive training similar to that provided executives of industrial organizations.

(b) Eligibility. Eligibility criteria. normally applicable to IT Resident Programs, and Civilian Institutions and Training-with-Industry Programs are:

(1) Applicants must be officers serving in the grade of lieutenant colonel or below. (The term "officer" or "officers" as used in §§ 846.0 to 846.7 includes warrant officers.)

§ 846.6 Special short courses.

These courses are of less than 20 weeks duration and are designed to provide concentrated instruction in specialized subjects related to an officer's duty assignment. Headquarters USAF authorizes the establishment and tailoring of these courses to meet specific needs of the Air Force.

§ 846.7 Medical postgraduate courses.

Such courses are of less than 20 weeks duration and are established and conducted by civilian institutions. They provide concentrated instruction in many subject areas and are announced by the institution conducting the program. Qualified Air Force medical service officers may be authorized to enroll when a need for training in a particular field is established within the major air command. Quotas are not established or allocated for these courses by Headquarters USAF.

R. J. PUGH. Colonel, U.S. Air Force, Deputy Director of Administrative Services.

[F.R. Doc. 61-1776; Filed, Mar. 1, 1961; 8:45 a.m.]

SUBCHAPTER F-RESERVE FORCES

PART 861-OFFICERS' RESERVE **USAF Officer Training School (OTS)**

Part 861 is revised to read as follows:

Purpose.

Mission of the OTS. 861.2 861 3

Explanation of terms. 861.4 Information sources.

How training is conducted.

No. 40-6

Eligibility requirements. 861.6 Who is ineligible to apply. 861.7 861.8 Waivers of minor offenses. 861 9 How to apply.

How clothing is provided.

861.10 861.11

Preliminary processing.

Air Force Academy and Aircrew
Examining Centers (AFAAEC).

Information furnished applicants.

Procedures for Reserve personnel.

861.13 861.14

Disqualified applicants. 861.15

861.16 Selection and assignment to training.

Termination of training.

Students relieved from training. 861.18 Reinstatement of former students. 861.19 Appointment as an Officer, Reserve 861.20

of the Air Force. 861.21 Discharge.

861.22 Assignment of graduates.

AUTHORITY: §§ 861.1 to 861.22 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply 10 U.S.C. 9411.

SOURCE: AFR 53-27, December 2, 1960.

\$ 861.1 Purpose.

Sections 861.1 to 861.22 tell how to apply for USAF Officer Training School and explain the disposition of eliminees and graduates of the school.

§ 861.2 Mission of the OTS.

The USAF OTS trains selected personnel to meet the fundamental requirements for newly commissioned officers in the Air Force and to perform collateral missions as directed.

§ 861.3 Explanation of terms.

(a) Officer training program. A program established to assure the Air Force a complement of career-minded officers well educated in subjects related to essential positions. Graduates are tendered appointments as Reserve officers of the Air Force.

(b) Officer trainee. A selected applicant on active duty enrolled in OTS.

(c) Civilian applicants. United States male or female citizens who are not in the military service or members of AFRes Units. The term "civilian" includes all other members of Reserve components of the Armed Forces and the National Guard.

(d) Preliminary processing. An allinclusive procedure to determine if an applicant meets the basic eligibility requirements before he is referred for final

(e) Final processing. A series of tests designated by Headquarters USAF for final qualification of officer trainee applicants.

(f) Tentatively qualified applicant. An applicant (male or female) who has successfully completed the required examinations and whose applications has been forwarded to Lackland Military Training Center (OMS), Lackland Air Force Base, Texas, for further processing.

(g) Fully qualified applicant. An applicant who has successfully completed all qualifying examinations and has been notified in writing of his eligibility to compete for selection by the Lackland

Military Training Center.

(h) Selection board. A board appointed by the Commander, Lackland Military Training Center, to make the final selections. The board will be chaired by a senior officer. When female

applicants are being considered, a WAF officer of field grade will be a member of the Board.

(i) Selected applicant. A fully qualified applicant who has received written notice from the Lackland Military Training Center of his selection and class assignment.

(j) Air Force Academy and Aircrew Examining Center (AFAAEC). A Headquarters USAF designated facility, centrally located with respect to source of applicants and having facilities adequate for final examination of such applicants.

§ 861.4 Information sources.

Information concerning OTS may be obtained from:

(a) Air Force recruiting offices.(b) Air Force bases.

(c) Professor of air science at any AFROTC unit.

(d) Air National Guard (ANG) or AFRes units.

§ 861.5 How training is conducted.

Air Training Command will procure, select, train, and commission applicants for this program. Applicants will undergo rigid examinations before they are selected for officer training; when selected, they will be required to complete a pre-commission training course. After successfully completing this course, the officer trainee will be commissioned a second lieutenant, Reserve of the Air Force, in Career Reserve status. The graduating male officer will be assigned direct to duty or will pursue a pilot, navigator, or technical training course. The graduating female officer will be assigned direct to duty or will pursue a technical training course. The training course selected for each individual will be based on his desire and qualifications correlated with the needs of the Air

This section outlines the basic eligibility requirements and requisite qualifications which must be met when applying. Normally, waivers of the provisions of this section will not be granted. However, before processing at an AFAAEC, applications from female applicants which are disapproved by subordinate commanders or examining officers because the applicant exceeds the maximum age criterion but is not more than 30 will be forwarded through the major air command to Hq USAF (AFPTR) for final determination of eligibility.

(a) Age and citizenship. Applicants must be United States male or female citizens between $20\frac{1}{2}$ and $27\frac{1}{2}$ years of age when applying. However, they must be commissioned before reaching their 28th birthday. Applicants who desire flying training must be United States male citizens between the ages of 201/2 and 261/2 years of age when applying, but must be enrolled into flying training before reaching their 27th birthday.

(b) Marital restrictions—(1) Males. No restrictions.

(2) Females. Must be unmarried and have no dependents when applying and must agree in writing to remain unmarried during the training program.

(c) Air Force base or place of residence. When applying, civilian appli-

cants must be residing in the United States, Puerto Rico, or the Panama Canal

(d) Educational qualifications. Applicants must be college graduates with a baccalaureate or higher degree from an accredited college or university. The school from which the degree is granted must be listed in the latest issue of part 3, "Higher Education," Education Directory, published by the Office of Health, Education and Welfare, and must bear a level-of-training classification of II, III, or IV and a type-of-program classification of b, c, d, e, f, h, i, j, or k. In addition, the school must be accredited by a regional association for accrediting professional curricula. Graduates of schools bearing a type-ofprogram classification of g may be accepted, dependent upon the needs of the Air Force for the professional skill of the individual applicant.

(2) Applications from students enrolled in their senior year of college may be submitted 135 days before the applicant's scheduled graduation date. These persons will be processed as college graduates. Applicants will not be enlisted until documentary evidence has been submitted showing they have been awarded their degree. This document will be returned to the individual and will not be part of his enlist-

ment file.

(3) If otherwise qualified, an applicant who is a graduate of a nonaccredited American college or university, or who is a graduate of a foreign college or university, may meet the educational requirements by submitting a statement signed by the appropriate official of an accredited college or university offering graduate degrees certifying that the applicant meets the educational requirements for entrance into the graduate school or graduate division of that college or university.

(e) Moral character. Applicants must be of the highest moral character.

(f) Medical standards. (1) Male applicants will be examined for Flying Class I regardless of the training desired or for which selected. Each physically qualified examinee will be listed in accordance with the standards he meets.

(2) Female applicants will be given a commissioning-type physical exam-

ination.

(3) Applicants must meet the medical standards for the training they desire and for which they are selected.

§ 861.7 Who is ineligible to apply.

The following persons are ineligible to apply for this training:

(a) A person not eligible for enlistment or reenlistment in the Air Force, excepting dependency and grade restric-

(b) For pilot training, a person who holds or has held the aeronautical rating of pilot, or comparable rating in any of the Armed Forces of the United (Army aviation is not comparable for this purpose.)

(c) For navigator training, a person who holds or has held the aeronautical rating of navigator or comparable rating in any of the Armed Forces of the

United States.

(d) Persons who have been eliminated from a course of training leading to commissioned officer status are governed by the following policy and procedures. This policy does not pertain to those who were disenrolled or eliminated from the basic phase of any ROTC course.

(1) Policy. (i) Persons who either resign or are dismissed from officer training programs of the Army, Navy, or Air Force because of military inaptitude, indifference, undesirable traits of character, or for disciplinary reasons, will not be enrolled into an Air Force training program leading to commissioned officer status; nor are they eligible to apply for Air Force commissions. Superintendents of Military Academies and Commanders of Officer Training Programs may recommend waivers of this policy only in exceptional cases worthy of consideration.

(ii) Persons having been eliminated for lack of academic progress or a breach of the Honor Code, may apply for enrollment in Air Force training programs leading to commissioned officer status: however, their applications will be referred to Hq USAF for review and approval before their enrollment.

(iii) AFROTC cadets having been eliminated from a civilian operated military institution by the educational authorities because of minor violations of the institution's Honor Code may apply for Air Force officer training programs; however, such applications will also be referred to Hq USAF as indicated in subdivision (ii) of this subparagraph.

(e) A person in the active military service of the United States other than

the Air Force.

(f) An enlisted member of a Reserve Force of the United States who has received orders calling him to active military service with any of the Armed Forces other than the Air Force.

(g) A member of a Reserve Force other than the ResAF who has not obtained a conditional release from the

specific service.

- (h) A person currently enrolled in a training program conducted by any of the Armed Forces of the United States leading to commissioned status, unless his application is approved and further training is recommended by an authorized official of the parent service conducting the training.
 - (i) A person who:

(1) Has or has held a commission in any of the Armed Forces of the United

(2) Holds a certificate of completion of a course leading to a commission in any of the Armed Forces of the United States, and the commission is to be granted at a later date.

(j) A person who is undergoing board action directed toward resolving information indicating the applicant possesses undesirable personal qualities, or a person concerning whom a personnel security clearance has been denied or

(k) A person who has a record of conviction by any court-martial or civilian court, other than for a minor traffic violation, except that, if appropriate, a request for waiver of a minor offense not considered prejudicial to the performance of duty as an officer may be considered in accordance with § 861.8. Punishment imposed under Article 15, Uniform Code of Military Justice, is nonjudicial punishment and will not be considered conviction by court-martial. A general guide for determining whether an offense may be considered "minor" is contained in paragraph 128b, Manual for Courts-Martial, 1951. A waiver will not be granted for an offense that involves moral turpitude.

(1) A person who is a conscientious objector.

(m) A person whose entry into or retention in the Air Force may not be clearly consistent with the interest of national security.

(n) A Selective Service System registrant who has been ordered to report for active military service with any of the Armed Forces.

(o) Minor applicants (below age 21) without the written consent of either parent or guardian (DD Form 373, Consent, Declaration of Parent or Legal Guardian).

(p) An applicant who has failed to obtain the minimum qualifying score on the officer quality portion of the AFOQT is ineligible to reapply or be re-examined for 1 year from date of last written examination.

§ 861.8 Waivers of minor offenses.

(See § 861.7(k).)

A civilian applicant may submit a request for waiver of a minor offense to any USAF Recruiting Detachment. Each request for waiver will contain complete information regarding the offense and circumstances involved and will be considered on its own merits as substantiated by the following documents:

(a) Copy of court record if applicant has a record of conviction by any military or civilian court.

(b) Applicant's detailed statement concerning the offense and circumstances involved.

(c) Any additional documentary evidence substantiating the applicant's statement or justifying the request, such as statements from other persons, records of outstanding achievements, and

§ 861.9 How to apply.

awards.

Application will be made on AF Form 56, in duplicate. The applicant's attention will be directed to item 24, AF Form 56, whereby he agrees that, on completion of the training course, he will accept an appointment as an officer, Reserve of the Air Force, in Career Reserve status. Further, he agrees to remain on extended active duty as a commissioned officer with a minimum 4-year active duty commitment unless sooner relieved by competent authority. He agrees to accept the current active duty commitment for the training undertaken after being commissioned. For a minor, such agreement will be signed with the consent of either parent or guardian (DD Form 373). An officer or non-commissioned officer assigned to the USAF Recruiting Service may verify the signatures on both copies of the DD Form 373, however, the verifying official must be present when the form is signed by the applicant's parent or legal guardian. Each application will contain:

(a) Evidence of date of birth, which may be in the form of a birth certificate, an authenticated copy thereof, or

other documentary evidence.

(b) Evidence of citizenship, if the applicant is not a citizen by birth, in the form of a certificate, signed by an officer, notary public, or other person authorized by law to administer oaths, giving the following information:

I certify that I have this date seen the original certificate of naturalization No. -- (or certified copy of court order establishing citizenship) stating that --- was admitted to

(Full Name) United States citizenship by the _____ Court of ____ (District or county) ---- on -----

(State) (Date)

Note: Facsimiles or copies, photographs or otherwise, will not be made of naturalization certificates under any circumstances. (Such is a criminal offense under Act of June 25, 1948, 62 Stat. 767, 18 U.S.C. 1426(h).)

(c) An official transcript of college credits indicating the undergraduate or graduate degree awarded. A student enrolled in his senior year of college will provide a statement attesting to that fact, the date he is scheduled to graduate, and the degree to be awarded.

(d) Completed DD Form 98, Armed Forces Security Questionnaire. If, after proper instruction, the applicant fails to complete this form, or completes it with qualifications, or makes entries thereon which indicate that his appointment would not be clearly consistent with best interests of national security, his file will then be forwarded, together with the application, to Hq USAF, Washington 25, D.C., for action and decision.

(e) Completed DD Form 369, Police Records Check. An additional DD Form 369 will be required for the period between initial application and enlistment.

(f) A minimum of three character references, on DD Form 370, Request for Report from (Employer) (School) (Personal Reference), for all applicants from clergymen, past employers, or college officials such as the dean of the college.

§ 861.10 How clothing is provided.

Officer trainees selected from civilian status will be provided clothing under the clothing monetary allowance system.

§ 861.11 Preliminary processing.

(a) All applicants. Male applicants must indicate on the application form their preference for pilot, navigator, or other specialized training or for all three programs. Female applicants may apply for specialized training. If an applicant who has applied for all three programs is found disqualified for the training of his first choice, he will continue his processing to determine if he is qualified for his second or third choice. Applicants are required to undergo two phases of processing-preliminary and final qualifying examinations.

(1) Preliminary processing is administered locally at an Air Force recruiting detachment for civilian applicants and at Air Force base of assignment for airmen. Preliminary processing procedures include:

(i) Completion of AF Form 56, in duplicate, by the applicant. The following statement will be entered in the Remarks Section of the AF Form 56, "I (will) (will not) accept flying training if selected for the Officer Training School. The service commitment for personnel selected for flying training has been explained to me." Applicant will be required to place his initials immediately following the statement.

(ii) A check to insure that applicant meets the eligibility requirements and has necessary supporting data, such as birth certificate and scholastic records.

(iii) An interview to counsel the applicant and to determine whether he should be considered for testing.

(iv) A notice to the applicant, if not recommended for testing, of the reasons

for his disqualification.

(b) Civilians. A civilian applicant normally will apply at a USAF Recruiting Service Office, or in remote areas, at the nearest Air Force base.

§ 861.12 Air Force Academy and Aircrew Examining Centers (AFAAEC).

Each tentatively qualified male applicant referred to an AFAAEC for final processing will be given the AFOQT, a complete medical examination for flying, Class I. and such other examinations as may be directed by Headquarters USAF. A male applicant will be qualified in the highest physical category that he attains regardless of the training that he desires. In no instance will this be less than commissioning standards, and waivers for failure to meet these standards will not be granted. Female applicants will be given selected portions of the AFOQT and a medical examination for commission standards. Waivers for failure to meet the physical standards will not be granted. Applicants who have previously qualified on AFOQT will not be retested provided official record scores are available. The written examination will be given and scored before scheduling the medical examination. An applicant who fails to attain the minimum qualifying score on the officer quality portion of the AFOQT will not be processed further. A person will not be retested under any circumstances on the AFOQT before 1 year from the date he was last tested.

§ 861.13 Information furnished applicants.

(a) Fully qualified applicant. When an applicant has successfully completed all qualifying examinations, Lackland Military Training Center (OMS) will notify him in writing of his eligibility to

compete for selection.

(1) Changes affecting status of fully qualified applicants. Fully qualified applicants need not take any further action regarding their applications unless requested to do so. However, Lackland Military Training Center (OMS) must be informed of any changes which affect an applicant, such as:

(i) Enlistment in the Regular Air Force or any of the other military services.

(ii) Change of address.

(iii) Modification of physical status which would be disqualifying for training.

(iv) Change of desire for training.

(v) Receipt of notification from the Selective Service System ordering him into the active military service of the United States.

(vi) Receipt of orders to enter the active military service by a fully qualified applicant who is a member of a Reserve Force of the United States other than

the Air Force.

(b) Selected applicant. (1) A selected applicant is a fully qualified applicant who has written notification of his selection and assignment. Lackland Military Training Center (OMS) will notify the applicant of his selection. Acceptance in the program will be contingent on the civilian applicant's signed agreement to accept the training course for which he has been selected.

(2) The applicant will be considered by the selection board for a minimum of two classes. If he has been considered for one class and not selected, he will be notified that his application is being retained for further consideration. If the applicant is not selected, he will be notified of the nonselection and his personal documents will be returned. If eligible, a nonselected applicant may reapply 1 year from the date of his last application.

(3) A draft-eligible civilian applicant who subsequently is notified of his acceptance for officer training will not be furnished a draft deferment. If an applicant is ordered to report to active military service by the Selective Service System before he has received written notification of his selection, his application for officer training will be canceled.

(4) After notification of selection and class assignment, selected civilian applicants will be required to enlist in the Regular Air Force as E-1 (basic airman) for 2 years unless authorized under current enlistment directives to enlist in a higher grade. Upon enlisting, the selected applicant will be promoted to grade E-5 (staff sergeant).

(c) Disqualified applicants. Disqualified applicants will be advised as soon as possible of the reason for disqualification. An applicant who fails to attain the minimum qualifying score on the AFOOT will not be told the scores made on the tests, but only that he failed to attain the minimum qualifying score.

§ 861.14 Procedures for Reserve personnel.

Members of Air Reserve Forces, other than those assigned to Air Force Reserve units, and members of other services who are neither in nor alterted for active military service may apply for officer training and will be processed as civilian applicants in accordance with § 861.11 (b). Reservists other than Air Force Reservists must obtain a conditional release from the service in which they hold Reserve status. Air Force policy pertaining to enlistment of personnel of Reserve Forces will apply.

§ 861.15 Disqualified applicants.

(a) When an applicant is found disqualified for other than medical reasons. personal documents will be returned Other documents will be destroyed.

(b) Notifying disqualified applicants. If an applicant is found disqualified for officer training during preliminary processing at recruiting agencies, he will be notified verbally of the reasons by the USAF Recruiting Detachment Commander or the Officer Selection Specialist. If the disqualification becomes apparent during the final processing phase at the examining center, he will be notified in writing, or verbally by the officer in charge of the AFAAEC. When civilian applicants are rejected by the Selection Board, the appropriate recruiting detachment will be furnished a copy of the letter of non-selection.

§ 861.16 Selection and assignment to training.

Fully qualified applicants will be selected for training by Lackland Military Training Center (OMS) who will furnish letters of acceptance and class assignments to fully qualified and selected applicants. Letters of acceptance will authorize selected applicants to enlist in the Regular Air Force for 2 years. After enlisting and being promoted to grade E-5 (staff sergeant), the selected applicant who has received class assignment instructions will be assigned to the Air Force OTS.

\$ 861.17 Termination of training.

When the faculty board of an Air Force school determines that an officer trainee is no longer qualified to continue in his course of training, the commandant or Air Force supervisor, as applicable, will suspend the student from training. Upon final approval of the faculty board proceedings, the commandant will terminate the student's appointment as an officer trainee. In all instances, the faculty board proceedings will indicate whether the student is recommended for further training leading to a commission at a later date. The faculty board proceedings will give specific reasons for failure to recommend. At the time of elimination, responsible commanders will insure that the student is given a thorough and proper hearing and that all extenuating circumstances have been completely reviewed.

§ 361.18 Students relieved from train-

(a) Grade. For an officer trainee eliminated from training, the commandant will publish orders on the eliminated student as follows:

(1) Civilians, to E-1 (airman basic). Members of the ResAF processed as civilians will revert to the grades held before enlistment in the Air Force for the OTS

Program. (b) Service credited. Periods of service as an officer trainee will be credited as time spent in the airman grade held at time of appointment as an officer

trainee and will be credited in computing the service remaining under the original contract.

(c) Reassignment. Eliminated or disqualified students, other than those discharged or released from active duty in accordance with paragraph (d) of this

section will be reassigned.

(d) Separation from the Air Force. (1) An eliminated trainee whose current enlistment is specifically for OTS will be afforded the opportunity to elect, in writing, to complete his enlistment contract on active duty or to be immediately separated. Should he elect to complete his enlistment contract on active duty, he will not again be permitted to request relief from active duty or discharge under this authority. Eliminated students who request release from active duty and who have a remaining military service obligation, will be transferred to the AFRes for the remainder of their military service obligation, and they will be initially assigned to the Ineligible Reserve Section, Air Reserve Records Center, Denver, Colorado. Personnel who become members of the AFRes are deferred or exempt from induction provided they meet participation require-

§ 861.19 Reinstatement of former students.

(a) Academic deficiency. Students eliminated from training because of academic deficiency will not be reinstated at a later date unless recommended for further officer training by the faculty board. At least 1 year must elapse from the date of termination of student status before reapplication.

(b) Military deficiency. Students eliminated from training because of military deficiency will not be reinstated.

(c) Medical. Students eliminated from training because of medical disqualification may reapply, if a later medical examination indicates that the previous disqualification has been corrected or no longer exists. However, the former student must meet all other requirements for appointment and must have been recommended for reinstatement by the eliminating authority.

(d) Resignation. A student who resigns from the training program will not

be reinstated.

(e) Emergency leave. A student may be granted emergency leave under regulations issued by Lackland Military Training Center (OMS). In such instance, he will be held over for succeeding classes, if necessary. The length of time involved or the number of "holdovers" granted any one student will be determined by Lackland Military Training Center (OMS).

§ 861.20 Appointment as an Officer, Reserve of the Air Force.

(a) Tendering appointment. A student who successfully completes the prescribed officer training course and who is mentally, morally, and physically qualified will be tendered appointment as second lieutenant, Reserve of the Air Force, for an indefinite term. Each graduate so appointed will be ordered into active military service as a career Reserve officer. He will serve for a minimum of 4 years from the date of graduation from officer training unless sooner relieved by orders of competent authority. In addition, officers undergoing training after commissioning will incur active duty service commitments for training. Each graduate will be assigned direct to duty or will be given additional training appropriate to his qualifications and desires correlated with Air Force requirements. The type of training the graduate will pursue will be determined by Lackland Military Training Center (OMS) in accordance with quotas estab-

lished by Headquarters USAF.

(b) Review. Before graduation, the faculty board of the school will review the qualifications of each student and will prepare for each one a report indicating that he is or is not mentally, morphysically, and professionally qualified for appointment in the grade of second lieutenant, Reserve of the Air Force, with appropriate recommenda-tions for appointment. The physical qualifications for appointment will be determined by using any medical examination sufficiently detailed for each determination, completed within 12 months immediately preceding the date of appointment as an officer, Reserve of the Air Force, unless re-examination is indicated because of a serious intervening illness or injury. If the recommendation is negative, appropriate elimination action will be initiated.

(c) Graduates who decline to accept appointment. A graduate who declines to accept an appointment as an officer Reserve of the Air Force, will be disposed of as an eliminated student. His appointment as an officer trainee, or status as an eliminated student, will be terminated as outlined in § 861.17 and he may be reassigned within the Air Force in accordance with § 861.18.

§ 861.21 Discharge.

When commissioned in accordance with § 861.20, student will be discharged from his airman status. The commandant will prepare a discharge certificate and report of acceptance of appointment as a commissioned officer. The discharge certificate and report of separation will not be delivered to the graduate until after the Oath of Office as a commissioned officer has been administered. The reason and authority for discharge will be entered on the report of separation.

§ 861.22 Assignment of graduates.

(a) The Commander, ATC, will assign graduates to pilot and navigator training in accordance with existing criteria. Graduates who will enter technical training schools or who will be assigned direct to duty will be assigned by ATC in consonance with instructions provided by Headquarters USAF.

(b) Graduates of flying training or technical training schools will incur the active duty service commitment for the type of training received with a minimum of 4 years' active duty. Officers desiring release must request release from extended active duty in accordance

to duty will incur a directed duty in the

with existing directives. (c) Graduates who are assigned direct occupational field containing the AFS in which initially assigned.

> R. J. Pugh. Colonel, U.S. Air Force, Deputy Director of Administrative Services.

[F.R. Doc. 61-1777; Filed, Mar. 1, 1961; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I-Bureau of Land Management, Department of the Interior

APPENDIX-PUBLIC LAND ORDERS

[Public Land Order 2272]

[Anchorage 052775]

ALASKA

Partly Revoking Executive Order 19191/2 of April 21, 1914, Executive Order No. 7448 of September 12, 1936, and Executive Order No. 8102 of April 29, 1939

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141) and section 1 of the act of March 12, 1914 (38 Stat. 305; 48 U.S.C. 303) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Executive Order No. 1919½ of April 21, 1914, reserving certain lands in Alaska for townsite purposes; Executive Order No. 7448 of September 12, 1936, and Executive Order No. 8102 of April 29, 1939, reserving lands for use of the War Department, are hereby revoked so far as they affect the following-described lands:

SEWARD MERIDIAN

T. 13 N., R. 3 W.,

Commencing at the ¼ corner common to Sections 6 & 7, thence East 822.37 feet to Corner No. 1; thence S. 0°08' E., 878.36 feet; S. 30°43'41'' W., 1005.02 feet; S. 81°49'38'' W., 309.87 feet; N. 0°08' W., 1786.34 feet to the point of beginning.

Containing approximately 27.94 acres. 2. Until 10:00 a.m. on May 25, 1961, the State of Alaska shall have a preferred right to select the lands in accordance with and subject to the limitations and requirements of the act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46–3b) and section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR 76.1– 76.18. Thereafter the lands will not be subject to disposition under the public land laws unless and until it is so provided by order of an authorized officer of the Bureau of Land Management.

> JOHN A. CARVER, Jr., Assistant Secretary of the Interior.

FEBRUARY 23, 1961.

[F.R. Doc. 61-1784; Filed, Mar. 1, 1961; 8:46 a.m.]

RULES AND REGULATIONS

Public Land Order 22731

ALASKA

Revoking Certain Withdrawals for Indian School and Hospital Purposes

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, and as Secretary of the Interior it is ordered as follows:

[86114]

1. The Executive Order of May 4, 1907, so far as it reserved not to exceed forty acres of public land at Fort Yukon for educational purposes pending survey and segregation, is hereby revoked. The lands have not been surveyed or segregated.

[1753656]

2. The departmental order of May 10, 1940, reserving a tract of land containing 4.71 acres in the Saxman Indian Village, Alaska, for hospital purposes, is hereby revoked. The lands are subject to disposition only under laws relating to Indian townsites in Alaska.

JOHN A. CARVER, Jr., Assistant Secretary of the Interior.

FEBRUARY 24, 1961.

[F.R. Doc. 61-1785; Filed, Mar. 1, 1961; 8:46 a.m.]

> [Public Land Order 2274] [Juneau 011210]

ALASKA

Withdrawing Land for Use of the Forest Service as an Administrative Site and Public Campground

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands Alaska are hereby withdrawn from all forms of appropriation under the public land laws, including the mining but not the mineral-leasing laws nor disposals of materials under the act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604), as amended, and reserved for use of the Forest Service, Department of Agriculture, as an administrative site and public campground:

SITKA VICINITY

Lot 5A of U.S. Survey 2748 and a small unsurveyed parcel described as follows:

Beginning at Corner No. 4 of Lot 10 of U.S.S. 2418; thence S. 60°00' W., 1.11 chains to line of mean high tide of Sitka Sound; Northwesterly, along the mean high tide line to Corner No. 1 of U.S. Survey 2748; N. 56°46′ E., 0.77 chains to Corner No. 2 of U.S.S. 2748; S. 73°41′ E., 1.544 chains to point of begin-

The area described totals 1.86 acres.

JOHN A. CARVER, Jr., Assistant Secretary of the Interior.

FEBRUARY 24, 1961.

[F.R. Doc. 61-1786; Filed, Mar. 1, 1961; 8:46 a.m.]

[Public Land Order 2275] [Anchorage 049949]

ALASKA

Reserving Lands for Use of the Public Health Service as an Addition to the Arctic Health Research Center. Revoking Public Land Orders No. 855 and No. 1671

By virtue of the authority vested in the President by section 1 of the act of March 12, 1914 (38 Stat. 305, 307; 48 U.S.C. 303), and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Subject to valid existing rights, the following-described public lands are hereby withdrawn from sale or other disposal, and reserved for use of the Public Health Service, Department of Health, Education, and Welfare, as an addition to the Arctic Health Research Center:

EAST ADDITION TO ANCHORAGE TOWNSITE

U.S. Survey No. 408 (amended plat), Block 32-C.

Containing 2.06 acres.

2. Public Land Order No. 855 of July 17. 1952, which reserved the lands described in paragraph 1 hereof for use of the Department of the Army in connection with the activities of the Alaska National Guard, is hereby revoked.

3. Public Land Order No. 1671 of June 27, 1958, which reserved the followingdescribed lands for the purposes recited in paragraph 1 of this order, is hereby revoked:

ANCHORAGE AREA

U.S. Survey No. 408, East Addition-Original

Block 31-B. lots 1 to 8, incl.

Containing 1.43 acres.

The lands are withdrawn by Executive Order No. 2242 of August 31, 1915, for townsite purposes.

JOHN A. CARVER, Jr., Assistant Secretary of the Interior.

FEBRUARY 24, 1961.

(F.R. Doc. 61-1787; Filed, Mar. 1, 1961; 8:46 a.m.]

[Public Land Order 2276]

[Sacramento 058168]

CALIFORNIA

Withdrawing Lands for Reclamation **Purposes (Central Valley Project)**

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), it is ordered as follows:

Subject to valid existing rights, the following described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining but not the mineral leasing laws, and reserved for use of the Bureau of Reclamation in connection with those reserved by Public Land Order No. 2225 of December 16, 1960, for the Auburn Dam and Reservoir Project,

American River Division, Central Valley Project:

MOUNT DIABLO MERIDIAN

T. 13 N., R. 10 E., Sec. 30, lot 11.

Containing 36.36 acres.

JOHN A. CARVER, Jr., Assistant Secretary of the Interior.

FEBRUARY 24, 1961.

[F.R. Doc. 61-1788; Filed, Mar. 1, 1961; 8:47 a.m.]

[Public Land Order 2277]

[Oregon 010213]

OREGON

Order Providing for Opening of Public Lands (Power Project No. 1585)

1. The Federal Power Commission, in an order issued April 28, 1959, vacated the withdrawal created pursuant to the filing, on May 5, 1939, of an application for a license for Project No. 1585, pertaining to the following-described lands:

WILLAMETTE MERIDIAN

All portions of the following subdivisions lying within 20 feet of the center line of the survey embracing the ditch, flumes, pipe lines, power house, and transmission line locations, all as shown on a map designated Exhibit "F" and entitled "Map to Accompany Power Application Cal-Ore Mining & Development Co., Josephine County, Oregon, Township 25 South, Range 8 West, W.M." and filed in the office of the Federal Power Commission on May 5, 1939;

T. 35 S., R. 8 W., Sec. 2, lot 2, SW¼NE¼, SE¼NW¼, N½ SW1/4

Sec. 3, E½SE½; Sec. 10, lot 1, NE¼NE¼, SW¼NE¼, NW¼ SE¼, NE¼SW¼.

The areas described contain 10.45 acres.

2. The lands in section 10, are national forest lands in the Siskiyou National Forest. The remainder are revested Oregon and California Railroad grant lands, of which lot 2, section 2, is withdrawn for power purposes in Power Site Classification No. 143, Oregon No. 10, of May 8, 1926.

3. Until 10:00 a.m., on May 26, 1961, the lands shall be open only to application by the State of Oregon for the reservation to it or to any of its political subdivisions, under any statute or regulation applicable thereto, of any lands required as a right-of-way for a public highway, or as a source of materials for the construction and maintenance of such highways, in accordance with the provisions of section 24 of the Federal Power Act, as amended.

4. Commencing at 10:00 a.m., on May 26, 1961, the lands shall be open to such other forms of disposition as may by law be made of national forest and revested Oregon and California Railroad grant lands, subject to valid existing rights and to the provisions of existing withdrawals.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Portland, Oregon.

JOHN A. CARVER, Jr., Assistant Secretary of the Interior. February 24, 1961.

[F.R. Doc. 61-1789; Filed, Mar. 1, 1961; 8:47 a.m.]

Title 47—TELECOMMUNICATION

[FCC 61-268]

Chapter I—Federal Communications
Commission

PART 10—PUBLIC SAFETY RADIO SERVICES

Frequencies Available to Special Emergency Radio Service

In the matter of amendment of § 10.462 (f) (16) of Part 10 of the Commission's rules to relax frequency coordination requirements for special emergency applicants.

At a session before the Federal Communications Commission held at its offices in Washington, D.C., on the 23d day of February 1961:

It appearing that in the Commission's Second Report and Order in Docket No. 13273 (FCC 60–1264) certain frequencies were made available to the Special Emergency Radio Service: and

It further appearing that some of these frequencies were 15 kc "split channels" and were thus made available only upon a showing that the conditions of § 10.462(f) (16) (i), (ii), (iii), had been satisfactorily met: and

It further appearing that in its Report and Order in Docket No. 13475 (FCC 60-818), the Commission as a result of a notice of proposed rule making determined that Special Emergency applicants for split channel frequencies should be relieved from the burden of obtaining coordination clearance (i.e., consent) from other users in the Special Emergency Radio Service; and

It further appearing that the present provisions of § 10.462(f) (16) would, in effect, reimpose the requirement that coordination with other Special Emergency licensees must be obtained and thus are inconsistent with the Commission's previous finding: and

It further appearing that the amendment proposed herein merely extends an existing provision; that such provision has had no adverse effect but, in fact, would permit greater utilization of the frequencies involved; that the Commission has no reason to believe that any party has an interest in discontinuing the provision or the extension thereof nor that any party would submit comments to that effect if afforded an opportunity to do so; and, hence, that notice and public procedure are unnecessary; and

It further appearing that since the amendment ordered imposes no new requirements but rather relieves an existing requirement, the amendment may be made effective less than thirty days after publication as provided in

section 4(c) of the Administrative Procedures Act; and

It further appearing that the amendment adopted herein is issued pursuant to authority contained in sections 4(i) and 303 of the Communications Act of 1934, as amended;

It is ordered, That effective March 1, 1961, § 10.462(f) (16) is amended to read as follows:

§ 10.462 Frequencies available to the Special Emergency Radio Service.

(16) Available for developmental operation: *Provided*, That

(i) The proposed station location is removed by at least 40 miles from the station location of each other station, not including those authorized to other Special Emergency licensees, which is authorized to operate on frequencies 30 kc or less removed; and

(ii) The application is accompanied by a statement under oath that the licensees of all stations, excluding Special Emergency licensees, located within a radius of 75 miles of the proposed location and authorized to operate on a frequency 30 kc or less removed have concurred with such assignment or is accompanied by an acceptable engineering report indicating that harmful interference to the operation of existing stations, excluding Special Emergency stations, will not be caused, together with a statement under oath that the licensees of all stations, excluding Special Emergency stations, located within a radius of 75 miles of the proposed station and authorized to operate on frequencies 30 kc or less removed have been notified of the applicant's intention to request the assignment.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Released: February 27, 1961.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61-1836; Filed, Feb. 1, 1961; 8:53 a.m.]

[FCC 61-2671

PART 10—PUBLIC SAFETY RADIO SERVICES

PART 11—INDUSTRIAL RADIO SERVICES

PART 16—LAND TRANSPORTATION RADIO SERVICES

Requirement for Certain Periodic Transmitter Measurements

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 23d day of February 1961:

The Commission having under consideration the provisions of Part 10, Public Safety Radio Services; Part 11, Industrial Radio Services; and Part 16, Land Transportation Radio Services, which

presently require the station licensee of certain transmitters to make transmitter measurements at intervals not to exceed six months to insure that the deviation of the carrier frequency, the plate power input to the final radio frequency stage, and the modulation do not exceed that authorized in the license or prescribed in the rules;

It appearing that in addition to the six-month periodic measurements, a check is also required when the transmitter is initially installed and when any change is made in the transmitter which may affect the carrier frequency; increase the power input; or affect the modulation characteristics; and

It further appearing that while some periodic measurements are necessary, primarily because of the breakdown of crystals due to aging, the experience of the Commission's field offices in inspecting stations licensed under these parts indicates that improvement in the components and construction of transmitters is such that some relief from the burden of the requirement for semiannual measurement checks may be afforded without detrimental effect on the Public Safety, Industrial, or Land Transportation Radio Services; and

It further appearing that the establishment of a one-year maximum period during which the required transmitter measurements must be made, in lieu of the present six-month requirement, would serve the public interest both from the standpoint of relieving the burden on the station licensees and also maintaining an adequate check on the transmitters to insure compliance with the station authorization and the Commission's rules; and

It further appearing that in view of the fact that the Commission has no reason to believe that any party has an interest in retaining the existing requirement since the changes contemplated will not result in any adverse impact upon the licensees of the services involved and because the changes relieve rather than impose restrictions, the amendments can be effected without the necessity of complying with the notice, public procedures, and effective date provisions of Section 4 of the Administrative Procedure Act; and

It further appearing that authority for the amendments ordered herein is contained in section 4(i) and 303 of the Communications Act of 1934, as amended:

It is ordered, That effective March 1, 1961, §§ 10.108, 11.108, and 16.108 are amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Released: February 27, 1961.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

1. In Part 10, paragraphs (a)(3), (b)(3), and (c)(3) of § 10.108 are amended to read as follows:

§ 10.108 Transmitter measurements.

(a) * * *

(3) At intervals not to exceed one year, for transmitters employing crystal-controlled oscillators:

(b) * * *

(3) At intervals not to exceed one

(c) * * *

- (3) At intervals not to exceed one year.
- 2. In Part 11, paragraphs (a) (3), (b) (3), and (c) (3) of § 11.108 are amended to read as follows:

§ 11.108 Transmitter measurements.

(a) * * *

(3) At intervals not to exceed one year, for transmitters employing crystalcontrolled oscillators:

(b) * * *

- (3) At intervals not to exceed one year.
- (3) At intervals not to exceed one year.
- In Part 16, paragraphs (a) (3), (b)(3), and (c)(3) of § 16.108 are amended to read as follows:

§ 16.108 Transmitter measurements.

(a) * * *

(3) At intervals not to exceed one year, transmitters employing crystalfor controlled oscillators;

(b) * * *

(3) At intervals not to exceed one year.

(c) * *

(3) At intervals not to exceed one year.

[F.R. Doc. 61-1837; Filed, Mar. 1, 1961; 8:53 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I-Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Blackbeard Island National Wildlife Refuge, Georgia

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

GEORGIA

BLACKBEARD ISLAND NATIONAL WILDLIFE REFUGE

Sport fishing on the Blackbeard Island National Wildlife Refuge, Georgia, is permitted only on the areas designated by signs as open to fishing. This open area, comprising 400 acres or 7 percent of the total area of the refuge, is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport and Wildlife, Peachtree-Fisheries Seventh Building, Atlanta 23, Georgia. Sport fishing is subject to the following conditions:

- (a) Species permitted to be taken: Largemouth black bass, crappie, bream, and other minor species permitted under State regulations.
- (b) Open season: April 1, 1961, through October 15, 1961. Daylight hours only.

(c) Daily creel limits:

- 1. Largemouth black bass, 15; bream, 70; crappie, 40; other minor species as permitted by State regulations. No limitations on weight, size, etc.
- 2. Total aggregate of all species shall not exceed 75 fish in one day.

(d) Methods of fishing:

- 1. Rod and reel, pole and line, artificial and live baits (except live min-) nows) permitted.
- 2. Rowboats, canoes and other floating devices permitted; boats with motors prohibited.

(e) Other provisions:

1. The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

2. A Federal permit is not required to enter the public fishing area.

3. The provisions of this special regulation are effective to October 16, 1961.

> WALTER A. GRESH, Regional Director, Bureau of Sport Fisheries and Wildlife.

FEBRUARY 17, 1961.

[F.R. Doc. 61-1781; Filed, Mar. 1, 1961; 8:46 a.m.1

PART 33-SPORT FISHING

Noxubee National Wildlife Refuge, Mississippi

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

MISSISSIPPI NOXUBEE NATIONAL WILDLIFE REFUGE

Sport fishing on the Noxubee National Wildlife Refuge, Mississippi, is permitted only on the areas designated by signs as open to fishing. This open area, comprising 1,277 acres or 3 percent of the

total area of the refuge, is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta 23, Georgia. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Bass, bream, crappie, catfish and other minor species permitted by State regulations.

(b) Open season: March 1, 1961, through October 31, 1961. Daylight hours only.

(c) Daily creel limits:

Bass	_ 15
Bream	_ 50
Crappie	_ 30

Aggregate daily limit of all kinds shall not exceed 75 per day.

(d) Methods of fishing:

1. Pole and line, rod and reel, artificial and live baits permitted.

2. Boats and motors permitted.

3. Hand grabbling for catfish and other non-game fish permitted from May 1, 1961, through July 31, 1961, as permitted by State regulation.

(e) Other provisions:

1. The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

2. A Federal permit is not required to enter the public fishing area.

3. The provisions of this special regulation are effective to November 1, 1961.

> WALTER A. GRESH, Regional Director, Bureau of Sport Fisheries and Wildlife.

FEBRUARY 24, 1961.

[F.R. Doc. 61-1782; Filed, Mar. 1, 1961; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service [7 CFR Part 55]

GRADING AND INSPECTION OF EGG PRODUCTS

Notice of Proposed Rule Making

Notice is hereby given that the United States Department of Agriculture is considering amendments to the Regulations Governing the Grading and Inspection of Egg Products issued pursuant to authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U.S.C. 1621 et seq.).

The major changes in the proposed amendments consist of adding: (1) A definitive sampling procedure; (2) more adequate facilities for resident graders; (3) a fee for laboratory analysis of frozen egg products to determine if they contain lactic acid; and (4) a change from 3 to 3½ minutes in the minimum time required for flash heating liquid whole egg during pasteurization. The proposed amendments would also make minor changes in the requirements for operating procedures; facilities for candling and breaking rooms; cooling and freezing; and facilities for drying egg products.

All persons who desire to submit written data, views or arguments in connection with the proposed amendments should file the same in triplicate, with the Chief of the Standardization and Marketing Practices Branch, Poultry Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington 25, D.C., not later than 30 days following publication hereof in the FEDERAL REGISTER.

The proposed amendments are as

§ 55.4 [Amendment]

- 1. Change paragraph (e) of § 55.4 to read:
- (e) Condition inspection and laboratory analysis of egg products which are prepared in nonofficial plants.

§ 55.6 [Amendment]

- 2. Change § 55.6 by placing "(a)" immediately prior to the first sentence thereof and add a new paragraph (b)
- (b) Whenever grading or inspection service is performed on a sample basis, such sample shall be drawn as follows: (1) When frozen eggs are packed in 30pound or larger containers, a sufficient number of randomly selected containers equivalent to not less than the square root of the total number in the lot shall be selected. When frozen eggs are packed in smaller containers, the number of containers to be selected shall be not less than the figure obtained by dividing the total net weight of the lot by 30 and extracting the square root

thereof; (2) samples of dried egg solids of appropriate size shall be drawn in approximately equal portions from four randomly selected containers in each lot. For sampling purposes a lot shall consist of not more than 2,500 pounds. If the lot consists of less than four containers, the sample shall be drawn in approximately equal portions from each container in the lot.

- 3. Change § 55.18 to read:
- § 55.18 Facilities to be furnished for use of graders and inspectors in performing service on a resident inspec-
- (a) Facilities for proper sampling, weighing, and examination of shell eggs and egg products shall be furnished by the official plant for use by inspectors and frozen egg graders. Such facilities shall include a candling light, a heavy duty, high speed (not less than 1000 r.p.m. under load) drill with a 116" or larger bit of sufficient length to reach the bottom of a 30-pound can of frozen eggs, a nonbreakable thermometer, and a test kit for chlorine.
- (b) Furnished office space and equipment, including but not being limited to. a desk (equipped with a satisfactory locking device), lockers or cabinets suitable for the protection and storage of supplies and with facilities suitable for inspectors and graders to change clothing. Such space and equipment must meet the approval of the state supervisor.

§ 55.23 [Amendment]

- 4. In paragraph (b) of § 55.23 substitute the words "national supervisor" for "area supervisor" contained in the first sentence thereof.
 - 5. Change § 55.35 to read:

§ 55.35 Approval of official identifica-

Any label, container or packaging material which bears any official identification shall be used only in such manner as the Administrator may prescribe. No label, container or packaging material bearing official identification may be used unless finished copies or samples thereof have been approved by the Administrator. No label, container or packaging material bearing official identification shall be printed or prepared for use until the printer's or other final proof has been approved by the Administrator. No label, container or packaging material which bears official identification shall bear any statement that is false or misleading. If the label is printed on or otherwise applied directly to the container or packaging material the principal display panel thereof shall be considered as the label. The label shall contain the common or usual name of the product, if any there be, the name and address of the packer or distributor, and when the name of the distributor is shown, it shall be qualified by such term as "packed for," "distributed by," or "distributors," the lot number, a statement

of the net contents of the container, and if the product is comprised of two or more ingredients such ingredients shall be listed in the order of descending proportions. Egg products that are labeled "Whites and yolks" shall have the total solids content declared on the label if the solids content is less than 25½ percent.

6. Change § 55.41 to read:

§ 55.41 Products not eligible for official identification.

Egg products which are prepared in nonofficial plants shall not be officially identified. However, such products may be inspected organoleptically and by laboratory analyses and covering certificates issued setting forth the results of the inspection. Such certificates shall apply only to samples examined and shall include a statement that the product was produced in a nonofficial plant. Each container of frozen whole eggs will be drilled and examined organoleptically and product which appears to be satisfactory shall for sampling purposes be placed in lots not exceeding 6,000 pounds. Samples for laboratory analyses will be taken from each lot as provided in § 55.6 (b) and examined for direct microscopic bacterial count and for the presence of acetic and lactic acid. Frozen whole eggs shall be considered unsatisfactory if they contain acetic acid in any measurable quantity or if they contain lactic acid in excess of 7 milligrams per 100 grams of egg in combination with a direct microscopic bacterial count of more than 5,000,000 per gram of egg. bacteriological analysis shall be made in accordance with the methods prescribed in Standard Methods for the Examination of Dairy Products of the American Public Health Association. The chemical analyses shall be made in accordance with the methods prescribed in Official Methods of Analysis of the Association of Official Agricultural Chemists.

§ 55.66 [Amendment]

7. Change paragraph (b) of § 55.66 by adding at the end thereof the following: Lactic acid_____ 40.00

§ 55.77 [Amendment]

- 8. Change paragraphs (a), (b), (g) and (m) of § 55.77 to read:
- (a) All operations involving processing, storing, and handling of shell eggs, ingredients to be added, and egg products shall be strictly in accord with clean and sanitary methods, and shall be conducted as rapidly as is practicable. Stabilization procedures, when employed, shall be approved by the Administrator. Temperatures in all operations shall be such as will prevent a material increase in bacterial growth and deterioration or breakdown in the egg
- (b) All shell eggs and egg products shall be subjected to constant and continuous inspection throughout each and

every processing operation. Any shell egg or egg product which was not processed in accordance with the regulations in this part or is not fit for human food shall be removed and segregated prior to any further processing operation in connection with the production of egg products.

(g) Only germicides, insecticides, rodenticides, detergents, or wetting agents or other similar compounds which will not deleteriously affect the egg products and which have been approved by the Administrator may be used in an official plant. The use of such compounds shall be in a manner satisfactory to the Administrator.

(m) All utensils and equipment, except the drying units, the powder conveyors, mechanical powder coolers, and blenders shall be cleaned and sanitized at the start of each day's processing operations. All equipment and utensils shall be kept clean and sanitary during all processing operations.

§ 55.78 [Amendment]

- 9. Change paragraphs (a), (f) and (g) of § 55.78 to read:
- (a) The room shall be adequately darkened to assure accuracy in removal of inedible or loss eggs by candling. Equipment shall be arranged so as to facilitate cleaning and the removal of refuse and excess packing material.

(f) Containers made of a material and of such design that is conducive to easy cleaning and sanitizing shall be provided for inedible eggs. All such containers

shall be conspicuously marked. (g) Containers made of a material and

of such design that is conducive to easy cleaning and sanitizing shall be provided for trash unless clean disposable containers are furnished daily.

§ 55.79 [Amendment]

- 10. Change paragraph (c) of § 55.79
- (c) Mechanical candling machines shall be maintained in a clean condition during operations.
- 11. Add a new subparagraph (6) to paragraph (g) of § 55.79 to read:
- (6) Incubator reject eggs and ova from slaughtered birds of any species shall not be brought into the official plant.

§ 55.81 [Amendment]

- 12. Change paragraphs (a) and (c) of § 55.81 to read:
- (a) All shell eggs with adhering dirt shall be cleaned prior to breaking. If such eggs are washed, they shall be rinsed with a water spray and promptly dried. Immediately following the water rinse, such eggs together with eggs not requiring cleaning, may be immersed in or sprayed with a sanitizing solution and thereafter promptly dried prior to breaking.
- (c) Shell eggs shall not be washed in the breaking or sanitizing rooms or any room where edible products processed.

§ 55.82 [Amendment]

- 13. Change paragraph (a), subparagraph (1) of paragraph (d) and paragraph (i) of § 55.82 to read:
- (a) The breaking room shall have at least 30 foot candles of light on all working surfaces except that light intensity shall be at least 50 foot candles at breaking tables and inspection tables. Lights shall be protected with adequate safety devices.

(d) (1) A positive flow of outside filtered air through the room;

(i) Conveyors which are used for carrying shell eggs shall be so installed as will prevent contamination of the egg products.

§ 55.83 [Amendment]

- 14. Change paragraphs (b), (i), (j) (1), (p), (w), (x), (z), (cc) and (ff) of § 55.83 to read:
- (b) Shell egg containers coming into the breaking room shall be so handled that they do not pass directly over or come in contact with liquid egg, liquidegg containers, or drip trays. Such containers shall be made of a material and of such design that is conducive to easy cleaning and sanitizing.

(i) Shell particles, meat and blood spots, and other foreign material accidentally falling into the cups or trays shall be removed with a spoon or other

approved instrument.

(j) Whenever an inedible egg is broken, the affected breaking equipment shall be replaced with a complete set of clean equipment, except that only the cup or Canadian tray need be exchanged when bloody whites or blood rings are encountered.

- (1) The contents of any cup or other egg-liquid receptacle containing one or more inedible or loss eggs shall be rejected.
- (p) Liquid eggs recovered from shell egg containers and leaker trays shall be rejected and treated as inedible egg liquid.
- (w) Belt type shell egg conveyors shall be cleaned and sanitized approximately every 4 hours in addition to continuous cleaning during operation. When not in use, belts shall be raised to permit air drying.
- (x) Cups, knives, racks, separators, trays, spoons, liquid-egg pails, and other breaking equipment shall be cleaned and sanitized at least every 21/2 hours. This equipment shall also be cleaned and sanitized at the end of each shift and shall be sanitized again immediately prior to use unless operations are resumed within one hour. All washing and sanitizing is to be conducted in the area provided for this purpose.
- (z) Dump tanks, draw-off tanks and low pressure liquid egg lines shall be flushed at least every 4 hours. All such equipment and all other liquid handling equipment, unless cleaned by acceptable in-place cleaning methods, shall be dismantled, cleaned and sanitized after each shift and shall not be reassembled more than 2 hours prior to use. Such equipment shall be thoroughly flushed

with a sanitizing solution and thoroughly drained prior to placing in use.

(cc) Metal containers and lids for frozen eggs shall be thoroughly washed and drained immediately prior to filling, except that if equally effective measures approved by the national supervisor in writing are followed to assure clean and sanitary containers at the time of filling, the foregoing washing sequence shall not be required.

(ff) Mechanical egg breaking equipment shall be flushed with clean water under pressure at least every 21/2 hours and shall also be thoroughly cleaned and sanitized during the lunch period and at

the end of each shift.

§ 55.85 [Amendment]

15. Change paragraphs (c), (d), (e) and (f) of § 55.85 to read:

(c) All product which is not subjected to immediate stabilization or pasteurization shall be cooled to 45° F. or less within 11/2 hours from time of breaking.

(d) Egg products containing 30 percent or more egg solids, to which 10 percent salt has been added, may be accumulated up to 4 hours at a temperature not exceeding 60° F., for the purpose of equalizing salt, fat and color, provided that immediately thereafter, the product is packaged and placed in a freezer. All other liquid egg shall be cooled to 45° F. within 1½ hours from the time of breaking and maintained at temperatures not exceeding 45° F. until loaded for shipment, or until stabilizing or pasteurizing operations are begun, or until frozen or dried, or delivered to the consumer. Such liquid eggs, if to be held for more than 8 hours, shall be reduced to a temperature of 40° F. or less within 11/2 hours from time of breaking and held at 40° F. or less until stabilizing or pasteurizing operations are begun, or until dried, or frozen, or delivered to the consumer.

(e) Stabilized liquid eggs shall be cooled to 40° F. or less, unless immediately dried or pasteurized following stabilization. The cooling process shall be started immediately following stabilization and be completed within 3 hours.

(f) Pasteurized liquid egg shall be continuously cooled to 40° F. or less, unless dried or stabilized immediately following pasteurization.

§ 55.87 [Amendment]

- 16. Change paragraph (a) of § 55.87 to read:
- (a) Freezing rooms, either on or off the premises, shall be capable of freezing all liquid egg products in accordance with the freezing requirements as set forth in Use of off-premise freezing facilities is permitted only when prior approval in writing from the national supervisor is on file.

§ 55.88 [Amendment]

- 17. Change paragraph (b) of § 55.88 to read:
- (b) All egg products shall be solidly frozen or reduced to a temperature of 10° F. within 60 hours after placing in the freezer. The temperature of prod-

ucts not solidly frozen shall be taken at the center of the package to determine compliance with this section.

§ 55.91 [Amendment]

- 18. Change paragraph (j) of § 55.91 to read:
- (j) Cooling equipment for dried egg powder shall be provided and be capable of promptly cooling all powder except albumen to a temperature of 85° F. or less.

§ 55.93 [Amendment]

- 19. Change paragraph (b) of § 55.93 to read:
- (b) Egg powder; blending. Subparagraphs (1), (2), (3), (5) and (7) of this paragraph are applicable to all powder, and subparagraphs (4) and (6) of this paragraph are applicable only to whole eggs.

(1) The powder shall be blended uniformly throughout the operation.

(2) Secondary powder shall be blended with primary powder continuously by mechanical means.

(3) Approximately the first and last 175 pounds of powder from the main drier for each continuous operation shall be checked for improperly dried or

scorched powder.

- (4) The resident inspector shall draw a representative sample and score each lot (a lot shall not exceed 2,500 pounds) of powder for palatability. A lot scoring 6½ or higher is eligible for identification with the inspection mark as provided in § 55.36. A lot scoring 4 to 6, inclusive, may be officially identified as provided in §55.38. Powder scoring less than 6½ shall not be blended with higher scoring powder, if the resultant finished product is to be officially identified as provided in §55.36. Powder, including sweep-down powder, scoring less than 61/2 but not lower than 4 may be officially identified as provided in § 55.38.
- (5) Powder scoring below 4 and any powder obtained from a dust house, brush bag or screenings shall not be officially identified or blended with powder to be officially identified, except that brush-bag powder from albumen driers may be blended and officially identified.
- (6) For any purpose other than to determine suitability for blending or official identification, palatability scores shall be determined by a USDA laboratory from representative samples drawn by an inspector.
- (7) Representative samples shall be drawn in accordance with § 55.6(b) for laboratory analysis.

§ 55.94 [Amendment]

- 20. Change paragraph (a) of § 55.94
- (a) Drying facilities shall be constructed in such a manner as will allow thorough cleaning and be equipped with approved intake filters.

§ 55.98 [Amendment]

- 21. Change paragraph (a) of § 55.98 to
- (a) This room or area shall be well lighted, and of sufficient size to permit operators to properly wash and sanitize

all equipment at the rate required by the size of the operation. Adequate ventilation shall be provided to insure the prompt removal of odors and vapors and the air flow shall be away from the breaking room. If the washing and sanitizing room is not a separate room, it shall be an area well segregated from the breaking areas and it shall be well ventilated with air movement directed away from the breaking operations so that odors and vapors do not permeate the breaking areas.

§ 55.100 [Amendment]

- 22. Change paragraph (f) of § 55.100 to read:
- (f) Expectorating, or other unsanitary practices, shall not be permitted.

§ 55.101 [Amendment]

- 23. Change paragraphs (a) and (b) of § 55.101 to read:
- (a) Pasteurizing facilities. Adequate pasteurizing equipment of approved construction shall be provided so that all of the liquid whole egg will be processed as provided in paragraph (b) of this section. The pasteurizing equipment shall be provided with a holding tube, an automatic flow diversion valve with attached thermal controls, and recording devices which will control the flow of egg liquid in such a manner as will accomplish pasteurization as set forth in paragraph (b) of this section and will record temperatures of the heated egg liquid at the flow diversion valve continuously and automatically during the process. It shall be equipped with automatic soundwarning devices to indicate failure of proper operation. Refrigerated holding vats of sufficient capacity shall be provided to hold liquid eggs prior to and after pasteurization.
- (b) Pasteurizing operations. The strained or filtered liquid egg shall be flash heated to not less than 140° F. and held at this temperature for not less than 31/2 minutes and not more than 4 minutes. The flow diversion valve shall be adjusted so that all liquid not meeting the temperature requirements shall be diverted to a receiving tank and a warning given of failure to meet the temperature requirements. The sanitary pipe leading from the flow diversion valve shall be dismantled, cleaned, and sanitized and the flow diversion valve flushed with cold water at least once each 4 hours of operation and whenever a 30-minute time interval has elapsed between use and reuse. The pasteurizing equipment shall be dismantled, cleaned, and sanitized at the end of each day's operation. If the eggs are pasteurized within 30 minutes after time of breaking, they need not be chilled to 45° F. prior to pasteurization. Immediately after pasteurization the liquid eggs shall be cooled as provided in § 55.85 unless they are dried immediately. Any other procedure for pasteurization must be submitted in writing and approved by the national supervisor prior to use.

§ 55.125 [Amendment]

24. In § 55.125 substitute the term "33 grams" for the term "30 grams" contained in the first sentence thereof.

(Sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624; 19 F.R. 74, as amended)

Issued at Washington, D.C., the 27th day of February 1961.

ROY W. LENNARTSON, Deputy Administrator, Agricultural Marketing Service.

[F.R. Doc. 61-1807; Filed, Mar. 1, 1961; 8:50 a.m.]

Commodity Stabilization Service

[7 CFR Part 730]

RICE

Determination of Acreage Allotments for 1959 and Subsequent Crops

Notice is hereby given that pursuant to the authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301, 1352, 1353, 1354, 1377), the Department proposes to amend §§ 730.-1024 and 730.1033 of the regulations for the determination of rice acreage allotments for the 1959 and subsequent crops of rice (23 F.R. 8528, 24 F.R. 577, 24 F.R. 1640, 24 F.R. 2677, 24 F.R. 9615 and 25 F.R. 3021), for the purposes of (1) implementing the provisions of Public Law 86-423 which precludes the release and reapportionment of any acreage on any farm acquired under right of eminent domain when the former owner retains occupancy through a lease and (2) changing the final dates for the release and reapportionment of rice allotment acreage in the State of California and to require any application for increase in farm rice acreage allotment from released acreage be filed not later than the final date for releasing allotment.

With respect to (1) above, it is proposed that the regulations be amended with respect to 1961 and subsequent crops of rice to provide that in "producer States" no acreage released to the county committee for reapportionment may be reapportioned to land acquired for non-agricultural purposes by an agency having the right of eminent domain when the displaced owner retains occupancy through lease and that in "farm States" no acreage may be released from nor reapportioned to any farm falling in this category.

With respect to (2) above, upon the basis of a recommendation from the California State Committee, it is proposed that beginning with the 1961 crop year the final dates for the release and reapportionment of rice allotment acreage in California be changed from May 1 and May 15 to April 1 and April 15, respectively. It is also proposed that any application for increase in farm acreage allotment from released acreage be filed not later than the date for releasing allotment.

Prior to incorporating the proposals set forth herein into the regulations, data, views and recommendations pertaining thereto submitted to the Director, Grain Division, Commodity Stabilization Service, U.S. Department of Agriculture, Washington 25, D.C., will be given consideration, provided such submissions are postmarked not later than

15 days from the date of publication of this notice in the FEDERAL REGISTER.

Issued this 27th day of February 1961.

H. D. GODFREY, Administrator, Commodity Stabilization Service.

8:54 a.m.]

DEPARTMENT OF HEALTH, EDU-CATION. AND WELFARE

Food and Drug Administration [21 CFR Part 121] FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b) (5)), notice is given that a petition has been filed by A. E. Staley Manufacturing Company, Decatur, Illinois, proposing the issuance of a regulation to provide for the safe use of oxidized and epichlorohydrinized starch in sizing and coatings of paper and paperboard for food packaging.

Dated: February 23, 1961.

J. K. KIRK, [SEAL] Assistant to the Commissioner of Food and Drugs.

[F.R. Doc. 61-1796; Filed, Mar. 1, 1961; 8:47 a.m.]

[21 CFR Part 121] FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348 (b) (5)), notice is given that a petition has been filed by W. R. Grace and Company, Cambridge 40, Massachusetts, proposing the issuance of a regulation to provide for the safe use of a neoprenelatex cap-sealing compound in food jar caps.

Dated: February 23, 1961.

J. K. KIRK, Assistant to the Commissioner of Food and Drugs.

[F.R. Doc. 61-1797; Filed, Mar. 1, 1961; 8:47 a.m.]

[21 CFR Part 121] FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition has been filed by Distillation Products Industries, Rochester 3, New York, proposing the amendment of § 121.1018 of the food additive regulations to provide

for the safe use of distilled acetylated monoglycerides in vitamin capsules.

Dated: February 23, 1961.

J. K. KIRK, [SEAL] Assistant to the Commissioner of Food and Drugs.

[F.R. Doc. 61-1840; Filed, Mar. 1, 1961; [F.R. Doc. 61-1798; Filed, Mar. 1, 1961; 8:48 a.m.]

[21 CFR Part 121] FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition has been filed by Red Star Yeast and Products Company, 325 North 27th Street, Milwaukee 8, Wisconsin, proposing the issuance of a regulation to provide for the safe use of butylated hydroxyanisole at a concentration of 0.1 percent in active dry yeast.

Dated: February 23, 1961.

J. K. KIRK. Assistant to the Commissioner of Food and Drugs.

[F.R. Doc. 61-1799; Filed, Mar. 1, 1961; 8:48 a.m.]

[21 CFR Part 121] FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348(b) (5), notice is given that a petition has been filed by Uni-Gum Division, T. M. Duche and Sons, Inc., 290 Brighton Road, Clifton, New Jersey, proposing the issuance of a regulation to provide for the safe use of an extract of Furcellaria fastigiata in foods.

Dated: February 23, 1961.

J. K. KIRK, [SEAL] Assistant to the Commissioner of Food and Drugs.

[F.R. Doc. 61-1800; Filed, Mar. 1, 1961; 8:48 a.m.]

[21 CFR Part 121] FOOD ADDITIVES

Sources of Radiation Used for Inspection of Food, for Inspection of Packaged Food, and for Controlling Food Processing

Pursuant to petitions received from General Electric Company, 4855 Electric Avenue, Milwaukee 1, Wisconsin, and Industrial Nucleonics Corporation, 650 Ackerman Road, Columbus 2, Ohio, notices of filing were published in the FEDERAL REGISTER of March 25, 1960 (25 F.R. 2549) and April 8, 1960 (25 F.R. 3406), respectively. Based upon data supplied in these petitions, an order was published in the FEDERAL REGISTER of

July 9, 1960 (25 F.R. 6483), establishing a regulation providing for the safe use of certain radiation sources for the inspection of foods and food packages and for controlling food processes. Following publication of the order, Industrial Nucleonics Corporation submitted certain objections to the published regulation and proposed changes therein.

The Commissioner of Food and Drugs has evaluated these objections and other relevant material, and has concluded that in the interest of clarity and accuracy the regulation should be amended to incorporate certain changes in the wording and, in addition, to permit the safe use of the isotopes kryton 85, cobalt 60, and radium 226.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(d), 72 Stat. 1787; 21 U.S.C. 348(d)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare, (25 F.R. 8625), it is proposed to amend § 121.3001 of Subpart G to read as follows:

§ 121.3001 Sources of radiation used for inspection of food, for inspection of packaging food, and for controlling food processing.

Sources of radiation for the purposes of inspection of foods, for inspection of packaged food, and for controlling food processing may be safely used under the following conditions:

(a) The radiation source is one of the following:

(1) X-ray tubes producing X-radiation from operation of the tube source at energy levels of 300 kilovolt peak or lower.

(2) Sealed units producing radiations at energy levels of not more than 2.2 million electron volts from one of the following isotopes: Cesium 137, cobalt 60, kryton 85, radium 226, and strontium 90.

(b) To assure safe use of these radiation sources:

(1) The label of the sources shall bear, in addition to the other information required by the act:

(i) Appropriate and accurate information identifying the source of radiation.

(ii) The maximum energy of radiation emitted by X-ray tube sources.

(2) The label or accompanying labeling shall bear:

(i) Adequate directions for installation and use.

(ii) A statement that no food shall be exposed to a radiation source so as to receive an absorbed dose in excess of 1,000 rads.

The Commissioner of Food and Drugs hereby offers an opportunity to any interested person to submit views and comments on this proposal, within 30 days from the date of publication of this notice in the FEDERAL REGISTER. Such views and comments should be submitted in triplicate and addressed to the Hearing Clerk, Department of Health, Education,

and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C.

Dated: February 23, 1961.

[SEAL] GEO. P. LARRICK, Commissioner of Food and Drugs.

[F.R. Doc. 61-1801; Filed, Mar. 1; 1961; 8:48 a.m.]

[21 CFR Part 121] FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348(b) (5)), notice is given that a petition has been filed by Economics Laboratory, Inc., 914 Guardian Building, St. Paul 1, Minnesota, proposing the issuance of a regulation to provide for the safe use of polybutoxy polypropoxy polyethyoxyglycol, polypropoxy polyoxyethylene glycol, and nonyl phenol in defoamer compositions used in the processing of paper for food packaging.

Dated: February 23, 1961.

[SEAL] J. K. KIRK,
Assistant to the Commissioner of
Food and Drugs.

[F.R. Doc. 61-1820; Filed, Mar. 1, 1961; 8:51 a.m.]

[21 CFR Part 121] FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348(b) (5)), notice is given that a petition has been filed by Hercules Powder Company, Inc., 910 Market Street, Wilmington 99, Delaware, proposing the issuance of a regulation to provide for the safe use of rosin sizing produced from gum rosin, wood rosin, tall oil rosin, partially hydrogenated rosin, fully hydrogenated

rosin, or dark wood rosin in the manufacture of paper and paperboard for food packaging.

Dated: February 23, 1961.

[SEAL] J. K. Kirk,
Assistant to the Commissioner of
Food and Drugs.

[F.R. Doc. 61-1821; Filed, Mar. 1, 1961; 8:51 a.m.]

[21 CFR Part 121] FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition has been filed by Dewey and Almy, Ltd., Elveden Road, Park Royal, London NW. 10, proposing the issuance of a regulation to provide for the safe use in food packaging of side-seam cements containing polyamide resins, sulfonamide formaldehyde resins, and ethyl toluene sulfonamide.

Dated: February 23, 1961.

[SEAL] J. K. KIRK,
Assistant to the Commissioner of
Food and Drugs.

[F.R. Doc. 61-1822; Filed, Mar. 1, 1961; 8:52 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 1] [Docket No. 13913]

APPLICATIONS INVOLVING A DETERMINATION

Order Extending Time for Filing Comments

In the matter of amendment of § 1.316 of the Commission's rules concerning

payment of consideration to amend, dismiss, or not prosecute applications involving a determination pursuant to section 307(b) of the Communications Act, Docket No. 13913.

1. The Commission has before it for consideration a petition filed by the Federal Communications Bar Association requesting that the time for filing comments in the above-entitled proceeding be extended from February 20, 1961, to March 13, 1961, and that the time for filing reply comments be extended from March 7, 1961, to March 28, 1961.

2. The Association states that, due to the recent election of new officers and changes in the Association's committee assignments, there has been insufficient time to prepare comments reflecting the views of the Association's membership. The Association further states its belief that its comments will be of material assistance to the Commission in this proceeding.

3. Upon considering the representations of the petitioner, the Commission believes that the public convenience, interest, and necessity would be served by granting the additional time requested for filing comments and reply comments.

4. Accordingly, it is ordered, That the aforesaid request of the Federal Communications Bar Association is granted; that the time for filing comments in the above-entitled proceeding is extended from February 20, 1961, to March 13, 1961; and that the time for filing reply comments is extended from March 7, 1961, to March 28, 1961.

Adopted: February 23, 1961.

Released: February 24, 1961.

FEDERAL COMMUNICATIONS
COMMISSION,
BEN F WADLE

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61-1838; Filed, Mar. 1, 1961; 8:54 a.m.]

Notices

GENERAL SERVICES ADMINISTRATION

Defense Materials Service

REPORT OF PURCHASES UNDER PURCHASE REGULATIONS

DECEMBER 31, 1960.

	Termination	Unit	Program limitation	Purchases ¹ during quarter		Cumulative purchases 1 through end of quarter	
Regulation	date	Cint	(quantity)	Quantity	Amount	Quantity	Amount
ACTIVE PROGRAMS Public.Law 206, 83d Cong. Beryl	June 30, 1962 June 30, 1962	Short dry tons, beryl oreShort tons, hand-cobbed mica or equivalent	4,500 25,000	71 556	\$40, 205 685, 294	2, 720 21, 858	\$1, 510, 562 22, 016, 680
Asbestos	Nov. 1, 1957 Dec. 31, 1958	Short tons, crude No. 1 and/or Crude No. 2 Asbestos_Short tons, crude No. 3	1,500			1, 499 850 15, 567, 912	1, 762, 505 340, 070 60, 637, 262
Odumbum tantatum Manganese: Butte-Phillipsburg Deming Wenden Domestic small producers Tungsten	June 30, 1958	Long ton units, recoverable manganesedododododo	6,000,000			6, 020, 471 6, 215, 258 6, 108, 316 28, 069, 901 2, 996, 280	9, 074, 869 12, 036, 388 10, 743, 179 71, 398, 922 189, 212, 786
Public Law 520, 79th Cong. Chrome Defense Production Act	June 30, 1959	Long dry tons, chrome ore and/or chrome concentrates.	200,000			199, 961	18, 588, 036
Mercury: Domestie Do Mexican Do	Dec. 31, 1957	Flasks, prime virgin mercury dodododo	125, 000 30, 000 75, 000 20, 000			9, 428 17, 463 766 2, 508	2, 121, 300 3, 938, 879 172, 317 570, 797

¹ Quantities represent deliveries.

Dated: February 23, 1961.

[F.R. Doc. 61-1811; Filed, Mar. 1, 1961; 8:50 a.m.]

JOHN L. MOORE, Administrator.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service [P. & S. Docket No. 425]

SIOUX CITY STOCK YARDS CO.

Notice of Petition for Modification of Rate Order

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), an order was issued on April 29, 1960 (19 A.D. 357), continuing in effect to and including December 31, 1961, an order issued on December 30, 1957 (16 A.D. 1241), authorizing the respondent, Sioux City Stock Yards Company, to assess the current temporary schedule of rates and charges.

On February 16, 1961, a petition was filed on behalf of the respondent requesting authority to modify, as soon as possible, the current temporary schedule of rates and charges by inserting a new provision setting forth a new rate or charge for services in connection with livestock arriving at the stockyards by rail for transfer to motor truck for immediate shipment off the market. The new provision would be inserted in the current schedule as an exception to the

regular yardage charge and would read as follows:

On livestock received by rail for immediate shipment by truck off the market, not consigned to a selling agency, dealer, or packer and not offered for sale or weighed, the regular vardage charge will be waived and in lieu thereof a charge of \$2.50 per deck will be made for the use of facilities and services.

The proposed modification involves a new rate or charge for services not heretofore covered by order. Accordingly, it appears that this public notice of the filing of the petition and its contents should be given in order that all interested persons may have an opportunity to indicate a desire to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D.C., within 15 days after the publication of this notice.

Done at Washington, D.C., this 24th day of February 1961.

> LEE D. SINCLAIR, Acting Director, Packers and Stockyards Division, Agricul-

[F.R. Doc. 61-1805; Filed, Mar. 1, 1961; [F.R. Doc. 61-1774; Filed, Mar. 1, 1961; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-150]

OHIO STATE UNIVERSITY

Notice of Issuance of Utilization **Facility License**

Please take notice that no request for a formal hearing having been filed following the filing of notice of the proposed action with the Office of the Federal Register on December 20, 1960, the Atomic Energy Commission has issued License No. R-75 authorizing The Ohio State University to possess and operate at power levels up to 10 kilowatts (thermal) the pool-type nuclear reactor located on its campus in Columbus, Ohio. Notice of the proposed action was published in the FEDERAL REGISTER on December 21, 1960, 25 F.R. 13144.

Dated at Germantown, Md., this 24th day of February 1961.

For the Atomic Energy Commission.

R. L. KIRK, Deputy Director, Division of Licensing and Regulation.

[Docket No. 50-142]

REGENTS OF THE UNIVERSITY OF

Notice of Issuance of Facility License Amendment

Please take notice that no request for a formal hearing having been filed following the filing of notice of proposed action with the Office of the Federal Register on December 5, 1960, the Atomic Energy Commission has issued Amendment No. 1 to Facility License No. R-71 to The Regents of The University of California authorizing operation of the UCLA Argonaut-type nuclear reactor at power levels up to 10 kilowatts (thermal) on the University's campus in Los Angeles, California. Notice of the proposed action was published in the FEDERAL REGISTER on December 6, 1960, 25 F.R. 8834.

Dated at Germantown, Md., this 23d day of February 1961.

For the Atomic Energy Commission.

H. L. PRICE,
Director,
Licensing and Regulation.

[F.R. Doc. 61-1818; Filed, Mar. 1, 1961; 8:51 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 5395 etc.]

SOUTHERN ROCKY MOUNTAIN AREA LOCAL SERVICE CASE

Notice of Hearing

Notice is hereby given, pursuant to the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled proceeding is assigned to be heard, before the undersigned examiner, at the following cities, on the dates and at the times and places stated:

March 8, 1961 (10:00 a.m., local time), in Conference Room 41-C, New Custom House, Denver, Colorado.

March 13, 1961 (10:00 a.m., local time), at the El Conquistador Hotel, 3601 East Broadway, Tucson, Arizona.

March 20, 1961 (10:00 a.m., local time), in the "Cameo Room," at the Lafayette Hotel, Long Beach, California.

Dated at Washington, D.C., February 24, 1961.

[SEAL] JOSEPH L. FITZMAURICE, Hearing Examiner.

[F.R. Doc. 61-1825; Filed, Mar. 1, 1961; 8:52 a.m.]

[Order No. E-16406; Docket No. 12107]

FLYING TIGER LINE, INC.

Reduced Cargo Rates; Order Dismissing Complaint

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 20th day of February 1961.

By tariff revision to be effective February 23, 1961, The Flying Tiger Line, Inc. (Tiger) proposes reductions approximating 20 percent in rates for a number of commodities moving from the West

Coast to Chicago and points east thereof. The reductions are to be effected by the transfer of such commodities from Group 16 to Group 37 of the carrier's tariff.

By complaint of February 10, 1961, United Air Lines, Inc. (United) requests investigation of the tariff revision and suspension pending decision therein. In summary, United alleges that there is no economic justification for the proposed reductions, that the rates would cause serious diversion from Tiger's competitors, and that there can be no reasonable expectation that new traffic will materialize in sufficient volume to maintain gross revenues.

On February 15, 1961, Tiger filed an answer to United's complaint, stating that the reduced rates are above the minimum directional rate level and their introduction falls within an appropriate range of carrier discretion heretofore permitted by the Board. Tiger further points out that United confines itself to general allegations in support of which no facts are presented, whereas extensive internal studies demonstrate to their own satisfaction that the proposed rates will develop traffic more than sufficient to offset the amount of the reduction involved.

Upon consideration of the matters of record, the Board finds that investigation of the instant tariff revision is not warranted and that United's request therefor, and consequently its request for suspension, should be denied. The complainant has set forth no facts relative to the impact which the reduced rates might have upon Tiger's traffic and revenues, or upon those of its competitors, and the proposed rates, which are currently in effect for numerous commodities, are within the existing minimums upon which the Board has relied in recent years.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof:

It is ordered, That the complaint of United Air Lines, Inc., in Docket 12107 is dismissed.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] ROBERT C. LESTER, Secretary.

[F.R. Doc. 61-1826; Filed, Mar. 1, 1961; 8:52 a.m.]

[Order No. E-16432; Docket Nos. 12154 etc.]

MINIMUM RATES APPLICABLE TO AIR FREIGHT

Order Proposing Revocation of Board-Prescribed Minimum Freight Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 24th day of February, 1961, in the matter of MINIMUM RATES APPLIC-ABLE TO AIR FREIGHT, Docket 12154, and Dockets 11728 and 1705-11.

On August 19, 1960, the Board instituted an investigation to determine

whether the existing minimum freight rate orders should be modified or revoked and, if modified, in what manner. Interested persons were requested to submit statements of position, together with a summary of data and arguments in support thereof, by October 14, 1960.

Twenty-four responses to this request have been received and considered by the Board. Six of the seven domestic trunklines 2 responding recommended continuation of the current minimum rate orders and deferral of hearings pending actual experience with jet-powered allcargo aircraft. American recommended immediate revocation of the minimum rate order without hearing in order to permit experimentation with promotional rates. Flying Tiger and Slick favored immediate hearings and modification of the minimum rate orders. After a transition period, Flying Tiger also proposed the elimination of all minimum air freight rate regulations. Riddle opposed an investigation and reduction in rates, except for exploration of lower rates in limited situations. Ten air freight forwarders favored immediate hearings,3 and United Parcel proposed immediate revocation of the order. Five shippers (or shipping groups) favored immediate hearings and two stated that they favored less restrictions.

The responses leave no doubt that the imminent introduction of turbine-powered all-cargo aircraft, the use of more efficient cargo aircraft and handling facilities, the conversion of conventional Douglas and Lockheed passenger aircraft to all-cargo operations, and the added space and lift capacity available for cargo in the jet passenger aircraft will result in significant increases in air freight capacity.

In order to obtain the freight traffic necessary to utilize effectively the additional capacity which will soon become available, many of the respondents urged that rates lower than the current minimums must be permitted. However, a number of responses also took the position that the Board should not hold hearings for the purpose of prescribing new lower minimum rates until there has been an opportunity to determine from experience the costs of airfreight operations with the newer types of aircraft and facilities. Other responses, while not suggesting revocation, urged the Board to permit broad experimentation with freight rates during this period in order to develop an air freight market necessary for the economic utilization of the expanding cargo capacity of the carriers.

In the light of these responses and of other facts before the Board, we have tentatively concluded that hearings for the purpose of modifying the current minimum freight rate orders should not

¹ Order E-15672.

² Delta, Eastern, National, Northwest, Trans World, and United.

² Seven air freight forwarders represented by the Air Freight Forwarders Association took the position that sufficient data for turbine-powered all-cargo aircraft are not now available but favored immediate hearings on other questions. Airborne Freight, Jet Transportation, and Western Transportation favored immediate hearings, the latter two advocating lower minimum rates.

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be held at this time. There are no experienced data at present with respect to costs of the new type turbine-powered all-cargo aircraft, and in these circumstances there would be significant limitations upon the usefulness of a hearing for the purpose of prescribing new minimum rate levels and structures.

The Board, however, is convinced that the air transportation industry is about to enter a new era in the carriage of freight; that there will be substantial increases in air freight capacity in both conventional and turbine-powered aircraft; that lower cost levels are projected for the new types of turbine-powered all-cargo aircraft; that significant increases in air freight volume must be developed to utilize efficiently the cargo capacity of enlarged fleets of such aircraft; and that it is essential to provide a regulatory climate that will best stimulate initiative within sound economic boundaries.

We have tentatively concluded that the carriers can properly be given a wider area of managerial discretion than afforded under the existing rate orders by the prompt revocation of such prescribed minimum rates and by the exercise of our regulatory function through the investigation and suspension powers provided in section 1002 of the Act. Therefore, upon consideration of the responses received in Docket 11728 and matters discussed herein, we have tentatively concluded that the existing minimum freight rates are no longer desirable or necessary and therefore propose to adopt an order which will revoke the outstanding minimum freight rate orders now applicable to interstate air freight moving within the 48 contiguous states.

All interested persons shall have 20 days from the date of the publication of this proposal in the FEDERAL REGISTER to submit written comments, data, views, or arguments bearing upon any matter

herein proposed.

A basic premise underlying our proposal to revoke the minimum freight rates is the statutory concept that the initiation of rates should be a carrier function; that the exercise of this function is restricted by the existence of minimum rate orders; and that the continuance of the existing minimum rates is no longer necessary or desirable in the absence of impending or actual rate wars. We do not consider that revocation of minimum rates would be a withdrawal by the Board from effective cargo rate regulation, but rather a determination that in the present circumstances the Board and the industry can best implement their respective rate functions where the Board exercises its powers of investigation and suspension with respect to specific tariff proposals.

There are, therefore, strong policy considerations for prompt revocation of the existing minimum rates. However, our tentative conclusion to revoke such prescribed minimum rates rests not only upon policy considerations but upon other factors before us. The initial minimum rate orders were established more than 12 years ago to terminate a rate war then existing. There are no facts known to us which indicate the

existence of a rate war at this time or an imminent threat thereof. Neither is there any basis for assuming that any air carrier will propose uneconomically low rates in domestic air cargo transportation. The present cargo rates are generally above prescribed minimums. The existing rates which approach the Board's minimum rates are primarily directional or deferred air freight rates. Except for the recognition that in an industry as highly competitive as the air transport industry there is always a potential for a rate war, there is no present basis for assuming that the restraint of existing minimum rates upon the managerial discretion of the carriers is necessary or even desirable.

The minimum rate orders were based upon a record now obsolete. At the time of the original decision, the principal operators of passenger aircraft contended that air freight should be charged with only that added cost which would not have been incurred had such traffic not been carried. The all-cargo carriers, on the other hand, urged that cargo rates should be geared to total costs. With the scheduled passenger carriers now operating an increasingly larger number of all-cargo aircraft, there is no indication that any carrier now advocates an added cost basis for determining the overall cargo rate level. The line-up of the various carriers as to their position with respect to minimum rates has changed significantly from the time the original orders were adopted.

The imminent introduction of new turbine-powered all-cargo aircraft in scheduled cargo service and the rapid increase in cargo capacity for the industry make it important that the industry have maximum flexibility and opportunity to experiment with promotional rates designed to increase air cargo traffic within the limits imposed by the rate-making criteria of the Act.

Under the approach herein proposed the usual procedure for the initiation of new air freight rates will be through tariff proposals filed by the carriers in the manner contemplated by the Act. Of course, the Board then has ample authority to prevent abuses of carrier discretion under the investigation and suspension provisions of section 1002.

The considerations underlying our tentative conclusion to revoke the outstanding minimum rate orders also indicate that such action should be taken without hearing. The basic consideration that carriers should in the first instance have the opportunity to file new tariff rates, subject to the Board's powers of investigation and suspension, is a policy consideration inherent in the Act. The fact that the original minimum rate orders were prescribed more than -12 years ago; that the position of many of the parties has now changed; that generally rates are above the existing

minimums; and that no carrier is urging the added cost theory are all matters properly before us. The imminent introduction of turbine-powered all-cargo aircraft, the rapidly increasing cargo capacity in the industry, and the need for promotional rates, point toward prompt implementation of appropriate action. There is no provision of the Federal Aviation Act of 1958, as amended, which requires a hearing and decision upon the record in order to relieve the carriers from the restriction of minimum freight rate regulations. Nor are we aware of any factual questions requiring resolution through the hearing process or of any other considerations that would indicate that a hearing would serve any useful purpose. Under these circumstances, the Board does not contemplate a hearing on any matter proposed herein and is proceeding pursuant to the rule-making requirements of section 4 of the Administrative Procedure Act.

In addition to the basic minimum rates established for air freight, the Board has also established minimum rates for assembly and distribution services,5 and sub-minimum directional rates, and deferred air freight rates which are based upon the minimum rates for linehaul traffic. Our tentative decision to revoke the basic line-haul minimum freight rates is equally applicable to these interrelated or supplemental minimum rates. The Board, therefore, has tentatively concluded that each of these minimum rates should be included in any subsequent revocation order.

There also is pending before the Board the Investigation of Minimum Assembly and Distribution Charge Rules, Docket 1705-11.8 This investigation will become moot and its dismissal is proposed at such time as the revocation of the minimum rates for assembly and distribution, as proposed herein, may become effective.

Therefore, notice is hereby given that

the Board proposes:

1. To revoke the minimum rates prescribed for air freight.9

2. To revoke the minimum rates prescribed for assembly and distribution services in Orders E-4606 (September 14, 1950) and E-4954 (December 20, 1950).

3. To dismiss the Investigation of Minimum Assembly and Distribution Charge Rules, Docket 1705–11.

4. To suspend further proceedings at this time in the matter of the Domestic Air Freight Rate Investigation, Docket 11728.

See Orders E-12936 (September 3, 1958). E-15008 (March 15, 1960), and E-15460 (June

^o See Orders E-1639 (June 2, 1948), E-2184 28, 1960) (November 12, 1948), E-4048 (April 10, 1950), E-4890 (November 30, 1950), E-6698 (August 18, 1952), E-6706 (August 19, 1952), E-787 (October 21, 1953), E-9114 (April 19, 1955), E-9138 (April 26, 1955), and E-13140 (November 6, 1958).

Section 404 of the Act places upon each carrier the duty to establish just and reasonable individual and joint rates and just and reasonable classifications, rules, regulations, and practices relating to air transportation. Tariff proposals of new rates are subject to review by the Board upon complaint or upon its own initiative pursuant to section 1002.

⁵ Orders E-4606 and E-4954, dated September 14, 1950, and December 20, 1950,

Orders E-4048 (April 10, 1950), E-4890 respectively. (November 30, 1950), E-5648 (August 24, 1951), E-7837 (October 21, 1953), and E-9114 (April 19, 1955).

7 Order E-13140, dated November 6, 1958.

Accordingly, pursuant to section 302.38 of the rules of practice (14 CFR Part 302), section 4 of the Administrative Procedure Act, and sections 102, 204, 404, 1002, and 1005 of the Federal Aviation Act of 1958, as amended.

It is ordered, That:

1. All interested persons shall submit their written data, views, and arguments on each of the proposals stated above within twenty days from the date this notice is published in the FEDERAL REG-ISTER, by filing an original and nineteen copies thereof with the Docket Section of the Board.

2. That copies of this order shall be served upon all certificated and non-certificated air carriers and air freight forwarders engaged in the interstate transportation of property, and upon each of the following persons who have demonstrated their interest in this matter.

Los Angeles Chamber of Commerce. American Retail Federation. Society of American Florists. California Floral Traffic Conference. City of Dallas, Texas. Dallas Chamber of Commerce. Paper Mate. Theodore Manufacturing Corporation. Western Traffic Conference, Inc. Air Freight Forwarders Association.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL]

ROBERT C. LESTER, Secretary.

[F.R. Doc. 61-1827; Filed, Mar. 1, 1961; 8:52 a.m.]

[Order No. E-16439; Docket No. 12037]

TRANS WORLD AIRLINES, INC.

Application for Authority To Suspend Service Temporarily at Toledo, Ohio; Order Authorizing Temporary Suspension of Service and Statement of Tentative Findings and Conclusions and Order To Show

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 27th day of February 1961:

On January 11, 1961, Trans World Airlines, Inc. (TWA) filed an application under Part 205 of the Board's Economic Regulations requesting authority to suspend service temporarily at Toledo, Ohio, on its route 2, to become effective upon issuance of its amended certificate pursuant to Order E-15365, June 10, 1960, which is the Board's decision in the Cincinnati-Detroit Suspension Investigation, Docket 9891, and continuing until the Board takes final action with respect to the modification of TWA's certificate so as to delete Toledo as an intermediate point on route 2.

In support of its application TWA states, inter alia, that the Board in its June 10, 1960 decision in the Cincinnati-Detroit case decided to delete the authority of TWA to serve between the intermediate points Cincinnati, Dayton, Columbus and Toledo and the terminal point Detroit on route 2, effective upon the inauguration of service over the

Cincinnati-Detroit route then awarded to Lake Central Airlines, Inc. (Lake Central); that the Board withheld issuing an amended certificate to TWA; and that the carrier has doubts as to whether its amended certificate will contain any authority to provide service at Toledo. TWA further states that without the traffic support of Detroit, Dayton, Columbus and Cincinnati, no possible economic justification exists for its services at Toledo; 1 and that in addition to the service which Lake Central will provide in lieu of TWA, Delta is authorized to provide service on a route from Detroit to Louisville and points south via To-ledo, Dayton and Cincinnati, as well as on a route between Detroit and Toledo. on the one hand, and Indianapolis and points south on the other.

No objections to this application have been received.

Upon consideration of the foregoing, we tentatively find and conclude that the carrier will require further authorization in order to suspend all service at Toledo, since the Cincinnati-Detroit case dealt only with its authority to serve between the intermediate points Cincinnati, Dayton, Columbus, and Toledo, and the terminal point Detroit and consequently the amended certificate issued to TWA (Order E-16403, February 20. 1961) does not affect its remaining authority at Toledo; that frequent and convenient service is now provided at Toledo by four trunkline carriers (Capital, Delta, Eastern, and United) and one local service carrier (Lake Central); that on February 6, 1961, Lake Central filed General Schedule 14, indicating that on March 1, 1961, it will inaugurate service between Cincinnati and Detroit. via intermediate points including Dayton, Columbus, and Toledo; that elimination of TWA at Toledo will result in additional revenues for the remaining carriers, and in savings for TWA: and that consequently the public convenience and necessity require the deletion of Toledo from TWA's certificate for route 2

We further find on the basis of the foregoing that it is in the public interest to grant TWA authority to temporarily suspend on March 1, 1961, all remaining services at Toledo which were not affected by the amended certificate issued to the carrier pursuant to Order E-16403, supra, and that such authority should continue until final Board action in the proceeding instituted herein looking toward the deletion of Toledo from TWA's certificate for route 2.

Accordingly, it is ordered: 1. That TWA be and it hereby is authorized to suspend service at Toledo, Ohio, effective March 1, 1961, and continuing until the Board's final disposition of Docket 12160:

2. That there be and there hereby is instituted a proceeding identified as the Trans World Airlines Service to Toledo Case, Docket 12160;

¹ TWA also represents that of the total traffic carried by it to and from Toledo in 1959 and the first 11 months of 1960, 76.2% and 75.9%, respectively, originated at or was destined to these four cities.

3. That all interested persons be and they hereby are ordered to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein and amending the certificate of public convenience and necessity of TWA for route 2 so as to delete the intermediate point Toledo, Ohio;

4. That any interested persons having objections to the issuance of an order making final the proposed findings and conclusions and certificate amendment set forth herein shall, within 15 days from the date hereof, file a statement of objections with the Board;

5. That if no objections are filed, further procedural steps shall be deemed waived and the matter submitted to the Board for issuance of a final order:

6. That if objections are filed further consideration will be accorded any matters or issues raised by the objections. before further action is taken by the Board;

7. That copies of this order shall be served on Trans World Airlines, Inc., Capital Airlines, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., United Air Lines, Inc., Lake Central Airlines, Inc., The Flying Tiger Line Inc., and the City and Chamber of Commerce of Toledo. Ohio, all hereby made parties to the proceeding in Docket 12160; and

8. That this order shall be published

in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] ROBERT C. LESTER.

Secretary. [F.R. Doc. 61-1828; Filed, Mar. 1, 1961; 8:53 a.m.}

COMMITTEE FOR RECIPROCITY INFORMATION

CERTAIN CONTRACTING PARTIES TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

Consultations; Submission of Information; and Closing Dates

Consultations with certain contracting parties to the General Agreement on Tariffs and Trade regarding the application of quantitative import restrictions imposed for balance-of-payments reasons, under the provisions of Articles XII and XVIII:B.

Submission of information to the Committee for Reciprocity Information regarding these consultations.

Closing dates for submission of written statements: March 31, 1961, for April consultations; and September 1, 1961, for October consultations.

It is the intention of the Contracting Parties to the General Agreement on Tariffs and Trade to enter into consultation with certain of the parties regarding their application of quantitative import restrictions imposed for balanceof-payments reasons, under Articles XII and XVIII:B of said Agreement.

The consultations will be conducted separately with each consulting country during 1961 by a panel of fourteen coun-

No. 40-8

1844

NOTICES

tries including the United States. The consulting countries and the expected timing of their consultations are as follows:

April

Austria Burma. Chile

Indonesia. Turkey. Union of South Africa.

October

Denmark. Finland. Japan.

New Zealand. Norway. Israel.

During each consultation the Contracting Parties will have the opportunity (1) to review the country's financial and economic situation and (2) in this context to discuss the possibilities for further relaxation of the level of its import restrictions, a lessening of the discriminatory application of these restrictions, and the moderation of particular policies and practices which are especially burdensome to the exporters of other countries adhering to the General Agreement.

American traders, business firms, labor organizations and other individuals or associations which have an interest in exporting to one or more of the consulting countries may, as a result of their own experience, wish to submit information relating to (2) above which will be useful to the United States Government during the course of the consultations.

Representations to the Committee in response to this invitation, which should contain all available supporting information, might include views along the fol-

lowing lines:

- 1. Quantitative import restrictions affecting goods available from the United States have resulted in unnecessary damage to the commercial or economic interest of the United States, its citizens or organizations;
- 2. Not even minimum commercial quantities of imports of specific commodities from the United States are permitted, to the impairment of regular channels of trade;
- 3. Trade is being restrained by complex or arbitrary licensing procedures, or lack of adequate information available to traders regarding import regu-
- 4. Reasonable access to a traditional foreign market has not been restored for particular commodity, even though the country concerned has substantially relaxed its restrictions on imports in general:
- 5. The long-standing application of import restrictions by a country on a particular product has been accompanied by the growth of uneconomic output of that product within the country,
- 6. Discrimination exists in the treatment of goods available from the United States as compared with the treatment afforded similar goods from other countries with convertible currencies.

In order to permit adequate consideration of views and information, it is requested that all responses be submitted to the Committee for Reciprocity Information by March 31, 1961, regarding the countries consulting in April, and by September 1, 1961, regarding the countries consulting in October. Information

submitted to the Committee after these dates will be considered to the extent time permits.

All communications on this matter should be submitted in fifteen copies to: The Secretary, Committee for Reciprocity Information, Tariff Commission Building, Washington, D.C. Information may be submitted in confidence, if desired.

By direction of the Committee for Reciprocity Information this 1st day of March 1961.

> LEONARD H. POMEROY, Secretary, Committee for Reciprocity Information.

[F.R. Doc. 61-1864; Filed, Mar. 1, 1961; 12:00 m.]

FEDERAL AVIATION AGENCY

OE Docket No. 61-KC-5]

CONSTRUCTION OF TELEVISION ANTENNA STRUCTURE

Notice of No Airspace Objection

The Federal Aviation Agency has circularized the following proposal to the aviation industry for comment and has conducted an aeronautical study to determine its effect upon the utilization

of airspace:

The Storer Broadcasting Company, operator of television station WITI, Milwaukee. Wisconsin, proposes to erect an antenna structure to be located in the City of Milwaukee at latitude 43°05'19" north, longitude 87°53'46" west. over-all height of the structure would be 1,720 feet above mean sea level (1,080 feet above ground). They are presently operating from a tower located near Milwaukee, Wis., at latitude 43°12'30" north, longitude 87°55'19" west with a height of 1,746 feet above mean sea level (1,046 feet above ground).

No aeronautical objections were received as a result of the circularization. The aeronautical study disclosed that the proposed structure would penetrate the outer conical surface of the "Joint Industry Government Tall Structures Committee Final Report" criteria by 305 This criteria is not limiting in nature but requires aeronautical study of such cases. In this instance, the study revealed that there would be no substantial adverse effect upon aeronautical operations, procedures or minimum flight altitudes. Further, in relocating the WITI antenna structure, it removes an isolated tower and places the proposed structure in an area that in effect is shielded by existing structures of similar characteristics. WISN-TV has a structure located approximately 2,25 statute miles northwest of the proposed WITI-TV structure that has a height of 1.735 feet above mean sea level. structure penetrates the "Joint Industry Government Tall Structures Committee Final Report" criteria by 206 feet. In addition, the proposed WITI structure would be located within one-fourth of a mile of a structure with a height of 1,685 feet above mean sea level.

Therefore, I find that this proposed structure at the location and mean sea level elevation specified herein, would have no adverse effect upon aeronautical operations, procedures or minimum flight altitudes and conclude that no objection thereto from an airspace utilization standpoint be interposed by the Agency, provided that the structure will be obstruction marked and lighted in accordance with applicable rules and standards and provided that the existing antenna structure at a height of 1746 feet above mean sea level located at latitude 43°12'30" north, longitude 87°55'19" west be dismantled within 90 days after scheduled programming is commenced from the new tower.

This finding will be effective upon the date of its publication in the FEDERAL REGISTER.

Issued in Washington, D.C., on February 24, 1961.

JAMES T. PYLE, Acting Administrator.

[F.R. Doc. 61-1778; Filed, Mar. 1, 1961; 8:45 a.m.]

[OE Docket No. 61-FW-14]

CONSTRUCTION OF AN ARRAY OF NINE RADIO TOWERS

Notice of No Airspace Objection

The Federal Aviation Agency has circularized the following proposal to the aviation industry for comment and has conducted an aeronautical study to determine its effect upon the utilization of airspace:

The Lake Huron Broadcasting Corp. proposes to erect an array of nine radio towers to be located near Houston, Texas, at latitude 29°59'33" north, longitude 95°28'33" west. The over-all height of the structure would be 522 feet above mean sea level (406 feet above ground). The proposed structures would be arranged in a three-by-three parallelogram. The long side of the parallelogram would lie along a bearing of 69° true with adjacent towers spaced 536.8 feet. The short side of the parallelogram would lie along a bearing of 159° true with adjacent towers spaced 229.8 feet.

No aeronautical objections were received as a result of the circularization. The aeronautical study by the Agency revealed that the proposed structures would have no effect upon aeronautical procedures or minimum operations. flight altitudes.

Therefore, I find that these proposed structures at the location and mean sea level elevation specified herein, would have no adverse effect upon aeronautical operations, procedures or minimum flight altitudes and conclude that no objection thereto from an airspace utilization standpoint be interposed by the Agency, provided that the structures will be obstruction marked and lighted in accordance with applicable rules and standards.

This finding will be effective upon the date of its publication in the FEDERAL REGISTER.

ary 24, 1961.

JAMES T. PYLE. Acting Administrator.

FR. Doc. 61-1779; Filed, Mar. 1, 1961; 8:45 a.m.]

[Agency Order 64]

GENERAL COUNSEL ET AL.

Delegation of Authority

1. Purpose. The purpose of this order is to delegate to the General Counsel, Deputy General Counsel, all Associate General Counsels, and all Regional Counsels certain authority of the Administrator under Title III of the Federal Aviation Act of 1958 relating to the conduct of hearings and investigations.

- 2. Delegation. Section 303(d) of the Federal Aviation Act of 1958 authorizes the Administrator to delegate the performance of any function under the Act to any officer, employee, or administrative unit under his jurisdiction. Authority to take evidence, issue subpoenas. take depositions, and compel testimony in the conduct of hearings and investigations authorized by the Federal Aviation Act of 1958 or by the Federal Airport Act, and to exercise all authority vested in the Administrator by sections 313(c) and 1004 of the Act is hereby delegated to the General Counsel, Deputy General Counsel, all Associate General Counsels and the Regional Counsels for the various Regions. These individuals are directed to exercise this authority in accordance with any applicable policies established or approved by the Administrator
- 3. Redelegation. The General Counsel, Deputy General Counsel, all Associate General Counsels and all Regional Counsels may redelegate the authority delegated to them under section 2 herein to any attorney of the Federal Aviation Agency serving under their supervision, subject to such conditions or limitations as they may prescribe. Each such redelegation under this section shall be limited to the specified hearing or investigation for which the authority is required.
- 4. Effective date. This order is effective February 23, 1961. It supersedes Agency Bulletin 59-38 of November 1, 1959 (24 F.R. 8861).

Issued in Washington, D.C., on February 23, 1961.

JAMES T. PYLE, Acting Administrator.

[F.R. Doc. 61-1804; Filed, Mar. 1, 1961; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 13257 etc.; FCC 61M-292]

CATSKILLS BROADCASTING CO. ET AL.

Order Scheduling Hearing

In reapplications of Harry C. Borwick, David Levinson, Seymour D. Lubin, Henry L. Shipp, Joseph K. Schwartz and

Issued in Washington, D.C., on Febru- Philip Slutsky, d/b as Catskills Broadcasting Company, Ellenville, New York, Docket No. 13257, File No. BP-12266; Jerome Z. Elkin, Charles W. Letter, Samuel Elkin and Henry W. Weiss, d/b as Ellenville Broadcasting Company, Ellenville, New York, Docket No. 13258, File No. BP-12742; Saul Dresner, Alfred Dresner, Samuel Dresner, and Rose Dresner, d/b as Ulster County Broadcasting Company, Ellenville, New York, Docket No. 13272, File No. BP-11781; for construction permits.

It is ordered, This 23d day of February 1961, that Annie Neal Huntting will serve as presiding officer in the consolidated proceeding herein ordered by the Commission by action released February 21, 1961 (FCC 61-186; Mimeo No. 98137); and: It is further ordered, That hearings in the proceeding will be held in the offices of the Commission, Washington, D.C., commencing April 10, 1961.

Released: February 24, 1961.

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL] BEN F. WAPLE, Acting Secretary.

[F.R. Doc. 61-1829; Filed, Mar. 1, 1961; 8:53 a.m.]

[Docket Nos. 13955-13957; FCC 61M-295]

STUART W. EPPERSON ET AL. Order Scheduling Hearing

In re applications of Stuart W. Epperson, North Wilkesboro, North Carolina, Docket No. 13955, File No. BP-13009; Tobert B. Brown, Taylorsville, North Carolina, Docket No. 13956, File No. BP-13564; Felix C. Abernethy, Granite Falls, North Carolina, Docket No. 13957, File No. BP-13773; for construction permits.

It is ordered, This 23d day of February 1961, that Charles J. Frederick will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on April 19, 1961, in Washington, D.C.

Released: February 24, 1961.

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL] BEN F. WAPLE, Acting Secretary.

[F.R. Doc. 61-1830; Filed, Mar. 1, 1961; 8:53 a.m.]

[Docket No. 12676 etc.; FCC 61M-297]

FOUR STATES BROADCASTING CO. ET AL.

Order Scheduling Prehearing Conference

In re applications of John L. Miller, tr/as the Four States Broadcasting Company, Halfway, Maryland, et al., Docket Nos. 12676, 12677, 12678, 12679, 13782, 13784, 13785, 13786, 13787, 13788, 13789, 13790, 13791, 13792, 13793, 13794, File No. BP-11227; for construction permits.

The Hearing Examiner having under consideration oral request of Associated Broadcasters, Inc., herein for a prehearing conference;

It is ordered, This 24th day of February 1961, that the request is granted; and a prehearing conference is scheduled herein for March 8, 1961, at 10:00 a.m.

Released: February 24, 1961.

FEDERAL COMMUNICATIONS COMMISSION, BEN F. WAPLE, Acting Secretary.

[F.R. Doc. 61-1831; Filed, Mar. 1, 1961; 8:53 a.m.]

[Docket No. 13954; FCC 61M-2941

JEFFERSON BROADCASTING CO., INC. (WTMT)

Order Scheduling Hearing

In re application of Jefferson Broadcasting Co., Inc. (WTMT), Louisville, Kentucky, Docket No. 13954, File No. BP-13382; for construction permit.

It is ordered, This 23d day of February 1961, that Forest L. McClenning will preside at the hearing in the aboveentitled proceeding which is hereby scheduled to commence on April 10, 1961, in Washington, D.C.

Released: February 24, 1961.

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL] BEN F. WAPLE,

Acting Secretary.

[F.R. Doc. 61-1832; Filed, Mar. 1, 1961; 8:53 a.m.]

[Docket Nos. 13958, 13959; FCC 61M-296]

ROBERT F. NEATHERY AND RADIO COMPANY OF TEXAS COUNTY

Order Scheduling Hearing

In re applications of Robert F. Neathery, Houston, Missouri, Docket No. 13958, File No. BP-12913; W. R. McKnight, Nolan Hutcheson, Raymond E. Duff, S. E. Ferguson, Maurice W. Covert, Wm. H. Duff, A. W. Roffe, Chester S. Sieloff, d/b as Radio Company of Texas County, Houston, Missouri, Docket No. 13959, File No. BP-14108; for construction

It is ordered, This 23d day of February 1961, that Isadore A. Honig will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on April 17, 1961, in Washington, D.C.

Released: February 24, 1961.

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL] BEN F. WAPLE. Acting Secretary.

[F.R. Doc. 61-1833; Filed, Mar. 1, 1961; 8:53 a.m.]

[Docket No. 13649 etc.; FCC 61-2371

RADIO CARMICHAEL ET AL.

Order Amending Issues

In re applications of Radio Carmichael. Sacramento, California, Docket No. 13649, File No. BP-12031; Jack L. Powell and Alyce M. Powell, Joint Tenants (KVON), Napa, California, Docket No. 13651, File No. BP-12306; Golden Gate Broadcasting Corporation (KSAN), San Francisco, California, Docket No. 13652, File No. BP-12376; John Matranga, tr/as Trans-Sierra Radio, Roseville, California, Docket No. 13653, File No. BP-12938; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 23d day of February 1961;

The Commission having under consideration the petition for clarification of Issue 6 specified in the Commission's Order released July 13, 1960 (FCC 60-808) in the above-captioned proceeding, filed by Golden Gate Broadcasting Corportion on January 30, 1961, and pleadings filed in response thereto;

It appearing that Issue 6 was intended to require a determination of the matters set forth in Issue 6 as amended herein; and

It further appearing that no opposition to the petition has been filed;

It is ordered, That the petition of Golden Gate Broadcasting Corporation, filed January 30, 1961, is granted; and

It is further ordered, That Issue 6 in the above-captioned proceeding is amended to read as follows: "To determine whether the roof-top antenna system proposed by Golden Gate Broadcast-

ing Corporation (BP-12376) is in compliance with § 3.188(d) of the Commission's rules, and, if not, whether circumstances exist which would warrant a waiver of said section."

Released: February 27, 1961.

[SEAL]

FEDERAL COMMUNICATIONS
COMMISSION,
BEN F. WAPLE,

Acting Secretary.

[F.R. Doc. 61-1834; Filed, Mar. 1, 1961; 8:53 a.m.]

[Canadian List No. 156]

CANADIAN BROADCAST STATIONS

List of Changes, Proposed Changes, and Corrections in Assignments

FEBRUARY 15, 1961.

Notification under the provisions of Part III, section 2, of the North American Regional Broadcasting Agreement; list of changes, proposed changes, and corrections in assignments of Canadian broadcast stations modifying appendix containing assignments of Canadian broadcast stations (Mimeograph No. 47214–3) attached to the recommendations of the North American Regional Broadcasting Agreement engineering meeting.

Call letters	Location	Power kw	An- tenna	Sched- ule	Class	Expected date of com- mencement of opera- tion
		580 kilocycles	0 14			
CKY	Winnipeg, Manitoba	50 kw	DA-2	U	III	NIO with increased
CKUA	Edmonton, Alberta Timmins, Ontario	10 kw 1 kw	DA-2 DA-1	U	III	Do. Delete assignment— Vide 620 kilocycles.
CFRA (PO: 560 kc 5 kw DA-1).	Ottawa, Ontario	50 kw D/10 kw N	DA-2	U	ш	EIO 2-15-62.
CFCL	Timmins, Ontario	620 kilocycles 10 kw D/2.5 kw N_ 1090 kilocycles	DA-2	υ	ш	NIO with increased power.
CHIC (change in call letters from CFJB).	Brampton, Ontario	0.25 kw	ND	D	п	
CFTK (assignment of call letters).	Terrace, British Columbia		ND	υ	11	
CHUC	Cobourg—Port Hope, Ontario.	1500 kilocycles	DA-D	D	п	Now in operation.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION, BEN F. WAPLE, Acting Secretary.

[F.R. Doc. 61-1835; Filed, Mar. 1, 1961; 8:53 a.m.]

FEDERAL TRADE COMMISSION

[File No 21-540]

FRESH FRUIT AND VEGETABLE INDUSTRY

Trade Practice Conference

A trade practice conference will be held in three sessions at the following times and places:

First session—March 21, 1961, commencing at 10:00 a.m., P.s.t., at the Sheraton Palace Hotel, San Francisco, California.

Second session—March 27, 1961, commencing at 10:00 a.m., c.s.t., at the Conrad Hilton Hotel, Chicago, Illinois.

Third session—March 29, 1961, commencing at 10:00 a.m., e.s.t., at the Statler Hilton Hotel, New York, New York.

under the auspices of the Federal Trade Commission. These conferences will be held under the general supervision of the Honorable Sigurd Anderson, Federal Trade Commissioner, and will constitute the first step in proceedings authorized by the Commission for the establishment of trade practice rules for the industry.

All members of the industry are cordially invited to attend and participate in one or more of these conference sessions.

The purpose of the conference, which was authorized by the Commission pursuant to application by the United Fresh Fruit and Vegetable Association, is to afford all members of the industry an opportunity to consider and propose for establishment, subject to the Commission's approval, rules designed to eliminate and prevent unfair methods of competition, unfair or deceptive acts or practices, and other trade abuses violative of laws administered by the Commission. Any industry member may submit suggested trade practice rules for consideration at the conference and take part in the discussion of proposals or suggestions presented by others.

Among the subjects for rules which have been suggested for consideration at the conference sessions are price discrimination, brokerage and commissions in lieu thereof, advertising and other sales promotional allowances, services, or facilities, and inducing or receiving discriminations in price, which are violative of section 2 of the Clayton Act as amended (generally referred to as the Robinson-Patman Act). It is anticipated that provisions and examples will be suggested at the sessions which will supply guidance to industry members as to the meaning and application of the statutory provisions.

After the conference sessions and before any rules are finally approved by the Commission, a draft of proposed rules in appropriate form will be made available to all affected or interested parties including consumers and consumer organizations, upon public notice, affording them opportunity to present their views, criticisms, and suggestions regarding the proposed rules and to be heard at a public hearing in the matter to be announced by the Commission.

Issued: March 1, 1961.

By direction of the Commission.

[SEAL] ROBERT M. PARRISH, Secretary.

[F.R. Doc. 61-1817; Filed, Mar. 1, 1961; 8:51 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-1365]

DIVERSIFICATION FUND, INC.

Notice of Application for Order of Exemption

FEBRUARY 23, 1961.

Notice is hereby given that Diversification Fund, Inc. ("Applicant"), of Boston, Massachusetts, a Massachusetts corporation and an open-end, diversified management investment company registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 6(c) of the Act for an order of the Commission exempting Ap-

plicant from compliance with the provisions of section 14(a) of the Act.

Applicant has filed a registration statement under the Securities Act of 1933 for 1,335,000 shares of common stock, \$1 par value, to be offered to investors in exchange for such investors' securities. The purpose of the Fund is to provide investors holding securities at relatively low tax bases with a means of exchanging such securities for shares of the Fund, thereby obtaining diversification without incurring any Federal capital gains tax liability at the time of such exchange. Vance, Sanders & Company. Inc., the dealer manager, and a group of securities dealers which it will form and manage intend to solicit deposits of securities, to be held by a depository in safekeeping for the separate account of each investor, until April 1, 1961, which date may be extended to no later than May 24, 1961. At all times during the solicitation period, the depositing investor will retain all incidents of ownership to the securities deposited. with the right to withdraw such securities from the deposit without charge.

The minimum deposit to be accepted from any investor is to be securities having a market value of \$25,000, and the exchange will not be consummated unless the market value of the deposited securities as at the effective date of the planned exchange aggregates a minimum of \$30,000,000. In the event that such value is not then realized, the deposited securities will be returned to investors without charge to them. If such value is obtained upon the termination of the solicitation period, a report describing the deposited securities, including their current market value and their basis for Federal income taxation, will be mailed to all depositing investors, who will then have the right to withdraw any or all of their deposited securities for a period of three weeks from the mailing of the report. During this period Applicant may require any investor to withdraw any or all of his deposited securities, in which event such investor will have the right to withdraw any or all of his remaining securities from the deposit. Also Applicant will have the right to reject securities on deposit for a period of up to 10 days after the end of the period during which the investor may with-draw. All of Applicant's shares which are issued in exchange for securities will be issued simultaneously on the effective date of the exchange. Each depositing investor is to represent that he will acquire shares of Applicant issued to him in the planned exchange without any intention of distributing them in a public offering.

Section 14(a) of the Act provides, in pertinent part, that no registered investment company shall make a public offering of its securities unless such company has a net worth of at least \$100,000 or unless provision is made as a condition of the registration of its securities under the Securities Act which, in the opinion of the Commission, adequate ly insures (A) that, after the effective date of such registration statement, it will not issue any security or receive any proceeds of any subscription until no more than 25 responsible persons have

made firm agreements to purchase securities in an aggregate net amount which will give the company a net worth of at least \$100,000; (B) that said amount will be paid into such company before subscriptions will be accepted from any persons in excess of 25; and (C) that arrangements will be made whereby any amounts so paid in, plus any sales load, will be refunded to any subscriber on demand in the event the net proceeds so received do not result in the company's having a net worth of at least \$100,000 within 90 days after such registration statement becomes effective. Applicant presently has one outstanding share of capital stock, nominal assets, and no liabilities, and anticipates that it will have only one such outstanding share. nominal assets, and no liabilities prior to the planned exchange if the exemption sought in the instant application is obtained. Applicant submits that under the circumstances described the exemption sought would be consistent with the purposes intended to be served by section 14(a).

Section 6(c) of the Act provides, among other things, that the Commission, by order upon application, may conditionally or unconditionally exempt any person from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than March 15, 1961, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interests, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, as provided by Rule O-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL] ORVAL L. DuBois, Secretary.

[F.R. Doc. 61-1791; Filed, Mar. 1, 1961; 8:47 a.m.]

[File No. 24B-1122]

RIDALL CORP.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

FEBRUARY 23, 1961.

I. Ridall Corporation (issuer), a Massachusetts corporation, 44 Roxbury Street, Roxbury 19, Massachusetts, filed with the Commission on November 3, 1959, a notification on Form 1–A and an offering circular relating to a proposed public offering of 100,000 shares of nonvoting common stock at \$1 per share for an aggregate amount of \$100,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) and Regulation A promulgated thereunder.

II. The Commission has reasonable

cause to believe that:

A. The offering circular omits to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, particularly with respect to:

1. The failure to disclose the purposes for which the cash proceeds of the shares sold to date have been used;

2. The failure to state the number of

shares remaining to be sold;

3. The failure to disclose in the forepart of the offering circular the speculative aspects of the offering;

4. The failure to disclose whether the issuer has commenced operations;

5. The failure to disclose adequately the lack of voting rights as to the securities being offered;

6. The failure to disclose the relative costs of shares held by management and those to be held by the public and the percentage of ownership of management as compared with that of the public;

7. The failure to disclose adequately the current status of the manufacture of the mobile incinerator, the number manufactured to date and the cost thereof to the affiliate and any profit realized through sale to the issuer;

8. The failure to disclose whether any contracts have been entered into by the issuer for the use of the mobile incin-

erator; and

9. The failure to submit financial statements of the affiliate, General Auto-

mation Corporation.

B. The issuer has failed to cooperate with the Commission in connection with its proposed offering under Regulation A in that the issuer has refused to respond to letters from the Commission's staff with respect to amendment of the revised offering circular.

C. The offering would be made in violation of section 17(a) of the Securities

Act of 1933, as amended.

III. It is ordered, Pursuant to Rule 261 of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, tempo-

rarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within thirty days herefrom; that within twenty days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and

that notice of the time and place for said hearing will be promptly given by the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 61-1792; Filed, Mar. 1, 1961; 8:47 a.m.]

[File No. 812-1377]

SHARES IN AMERICAN INDUSTRY, INC.

Notice of Filing of Application Exempting Transaction Between Affiliates and Purchase of Securities During an Underwriting

FEBRUARY 23, 1961.

Notice is hereby given that Shares in American Industry, Inc. ("Applicant"), a registered, open-end, diversified investment company has filed an application pursuant to sections 10(f) and 17(b) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting from the provisions of section 10(f) and 17(a) of the Act the proposed purchase by the Applicant of 500 shares of common stock of Rixon Electronics Inc. which is a portion of a 115,000 share offering of \$.25 par value capital stock expected to be offered to the public during the latter part of February 1961 at a price not to exceed \$7 per share.

Auchincloss, Parker & Redpath is the underwriter of the issue on a firm commitment basis. An employee of the latter firm is Dr. Horace Buxton, Jr. who is also a director of the Applicant.

Applicant contends that the exemption provided by Rule 10f-3 of the Act is unavailable due to the fact that it proposes to purchase the stock from an affiliated person and because there is no assurance at present that the sales commission will not exceed 7 percent. The price to be paid will be equal to the public offering price in effect on the first full day of the offering.

Section 10(f) of the Act provides, among other things, that no registered investment company shall knowingly purchase or otherwise acquire, during the existence of any underwriting or selling syndicate, any security (except a security of which such company is the issuer) a principal underwriter of which is a person of which a director of such registered investment company is an affiliated person. The Commission may exempt a transaction from this prohibition if and to the extent that such exemption is consistent with the protection of investors. Since one of the Applicant's directors is an affiliated person of the underwriter offering the stock, the purchase thereof by Applicant is subject to provisions of section 10(f) of the Act.

Section 17(a) of the Act prohibits an affiliated person of a registered investment company, or an affiliated person of such a person, from selling to or purchasing from such registered investment company any security or other property, subject to certain exceptions, unless the Commission upon application pursuant

to section 17(b) grants an exemption from the provisions of section 17(a), after finding that the terms of the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned, that the proposed transaction is consistent with the policy of each registered investment company concerned as recited in its registration statement and reports filed under the Act, and is consistent with the general purposes of the Act. Since the Applicant proposes to purchase the stock from an affiliated person of Dr. Buxton, a director of the Applicant, the proposed transaction is subject to the provisions of section 17(a) of the Act.

Notice is further given that any interested person may, not later than March 7, 1961, at 5:30 p.m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, the application may be granted as provided in Rule O-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 61-1793; Filed, Mar. 1, 1961; 8:47 a.m.]

[File No. 1-4252]

UNITED INDUSTRIAL CORP.

Order Summarily Suspending Trading

FEBRUARY 24, 1961.

The Common Stock, \$1 par value of United Industrial Corporation (Delaware) being listed and registered on the New York Stock Exchange and the Pacific Coast Stock Exchange, and admitted to unlisted trading privileges on the Detroit Stock Exchange; and

The Series A Convertible Preferred Stock, \$8.50 par value of United Industrial Corporation (Delaware) being listed and registered on the New York Stock Exchange and the Pacific Coast Stock Exchange; and

The Warrants to Purchase Common Stock of United Industrial Corporation (Delaware) being listed and registered on the American Stock Exchange and the Pacific Coast Stock Exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in each such security on such Exchanges and that

such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspensions are necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of any of such securities, otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19(a)
(4) of the Securities Exchange Act of
1934 that trading in said securities on
the American Stock Exchange, the New
York Stock Exchange, the Detroit Stock
Exchange and the Pacific Coast Stock
Exchange be summarily suspended in
order to prevent fraudulent, deceptive
or manipulative acts or practices, this
order to be effective for a period of ten
(10) days, February 25, 1961, to March
6, 1961, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F.R. Doc. 61-1794; Filed, Mar. 1, 1961; 8:47 a.m.]

TARIFF COMMISSION

[AA1921—18]

RAYON STAPLE FIBER FROM BELGIUM

Notice of Investigation

Having received advice from the Treasury Department on February 21, 1961 that rayon staple fiber from Belgium is being, or is likely to be, sold in the United States at less than fair value, the United States Tariff Commission has instituted an investigation under section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

No hearing in connection with this investigation has been ordered. If a hearing is ordered, due notice of the time and place will be given. In this connection, interested parties are referred to § 208.4 of the Commission's rules of practice and procedure (19 CFR 208.4) which provides that interested parties may, within 15 days after the date of publication of this notice in the Federal Register, request that a public hearing be held, stating reasons for the request.

Any interested party may submit to the Commission a written statement of information pertinent to the subject matter of this investigation. Fifteen clear copies of such statement should be submitted. Information which an interested party desires to submit in confidence should be submitted on separate pages each clearly marked "Submitted in

confidence". Written statements must Federal Register Document No. 57-8314 be filed not later than March 27, 1961.

Issued: February 27, 1961.

By order of the Commission.

DONN N. BENT. Secretary.

FR. Doc. 61-1813; Filed, Mar. 1, 1961; 8:50 a.m.]

[AA1921—17]

RAYON STAPLE FIBER FROM FRANCE

Notice of Investigation

Having received advice from the Treasury Department on February 21, 1961 that rayon staple fiber from France is being, or is likely to be, sold in the United States at less than fair value, the United States Tariff Commission has instituted an investigation under section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

No hearing in connection with this investigation has been ordered. If a hearing is ordered, due notice of the time and place will be given. In this connection, interested parties are referred to § 208.4 of the Commission's rules of practice and procedure (19 CFR 208.4) which provides that interested parties may within 15 days after the date of publication of this notice in the FEDERAL REGIS-TER request that a public hearing be held, stating reasons for the request,

Any interested party may submit to the Commission a written statement of information pertinent to the subject matter of this investigation. Fifteen clear copies of such statement should be submitted. Information which an interested party desires to submit in confidence should be submitted on separate pages each clearly marked "Submitted in Confidence". Written statements must be filed not later than March 27, 1961.

Issued: February 27, 1961.

By order of the Commission.

DONN N. BENT, Secretary.

[F.R. Doc. 61-1814; Filed, Mar. 1, 1961; 8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management CALIFORNIA

Notice of Amendment and Partial Termination of Proposed Withdrawal and Reservation of Land

FEBRUARY 21, 1961.

Notice of an application Serial No. Sacramento 048492, for withdrawal and reservation of lands, was published as

on pages 8069 and 8070 of the Issue for October 10, 1957. The description of the lands involved in the proposed withdrawal application is hereby amended to conform to the official survey plats to read as follows:

HUMBOLDT MERIDIAN, CALIFORNIA

T. 16 N., R. 7 E., Sec. 1: Lots 2, 3, 4, 5, 7, 8, and 9.

T. 16 N., R. 8 E.,

Sec. 5: Lots 5 and 6, SW¼NE¼, SW¼ NW¼, N½NW¼SW¼, SE¼NW¼SW¾,

NE¹/₄SW¹/₄, NW¹/₄SW¹/₄, NE¹/₄SW¹/₄, NW¹/₄SE¹/₄; Sec. 6: Lot 7, SE¹/₄SW¹/₄, W¹/₂SE¹/₄, NI¹/₂NE¹/₄SE¹/₄; Sec. 7: W¹/₂E¹/₂.

The areas described aggregate approximately 817.24 acres of public lands within the Klamath National Forest.

The applicant agency has cancelled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR, Part 295, such lands will be at 10:00 a.m. on March 23, 1961, relieved of the segregative effect of the above-mentioned application.

The lands terminated are:

HUMBOLDT MERIDIAN, CALIFORNIA

T. 16 N., R. 7 E.,

Sec. 1: That portion of patented Mineral Lot 51 extending into SW1/4NE1/4, that portion of patented Mineral Lot 44 extending into SW1/4NW1/4, and that portion of patented Mineral Lot 52 extending into SW¼NE¼ and NE¼SE¼; ec. 2: Patented SE¼NE¼, SE¼SW¼,

Sec.

N½SE¼, SW¼SE¼; ec. 11: NW¼NE¼, E½NW¼.

T. 16 N., R. 8 E.,

Sec. 5: Patented SW1/4NW1/4SW1/4, and that portion of patented Mineral Lot 40 extending into SE1/4SW1/4 and SW1/4

Sec. 6: Patented Lots 6 and 8 in W1/2 SW1/4, that portion of patented Mineral Lot 38 extending into W1/2SW1/4, and patented SE1/4 NE1/4 SE1/4;

Sec. 7: Patented NW1/4.

[SEAL]

WALTER E. BECK, Manager, Land Office. Sacramento.

[F.R. Doc. 61-1783; Filed, Mar. 1, 1961; 8:46 a.m.1

Office of the Secretary

[Order No. 2850]

ASSOCIATE COMMISSIONER, BU-REAU OF INDIAN AFFAIRS

Delegation of Authority

FEBRUARY 21, 1961.

John O. Crow, Associate Commissioner of the Bureau of Indian Affairs, is hereby authorized to exercise all the authority vested in the Commissioner of Indian Affairs by the Secretary of the Interior. (Reorganization Plan No. 3 of 1950: 5 U.S.C., 481, note)

> STEWART L. UDALL, Secretary of the Interior.

[F.R. Doc. 61-1790; Filed, Mar. 1, 1961; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

EXECUTIVE ASSISTANT TO THE SECRETARY

Establishment of Office

Correction

In F.R. Doc. 61-1654, appearing at page 1671 of the issue for Saturday, February 25, 1961, that portion of section 4 which follows the phrase "of this order" should read "shall remain in full force and effect until hereafter amended or revoked under appropriate authority."

COURTLANDT F. DENNEY

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28. 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past six months.

A. Deletions: No change.

B. Additions: No change.

This statement is made as of February 15, 1961.

COURTLANDT F. DENNEY.

FEBRUARY 20, 1961.

[F.R. Doc. 61-1816; Filed, Mar. 1, 1961; 8:50 a.m.]

OFFICE OF CIVIL AND DEFENSE **MOBILIZATION**

GEOFFREY BAKER

Appointee's Statement of Business Interests

The following statement lists the names and concerns required by subsection 710(b)(6) of the Defense Production Act of 1950, as amended.

No change since last statement, published August 18, 1960 (25 F.R. 8011).

Dated: February 1, 1961.

GEOFFREY BAKER.

[F.R. Doc. 61-1775; Filed, Mar. 1, 1961; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

FEBRUARY 27, 1961.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

AGGREGATE-OF-INTERMEDIATES

FSA No. 36921: Grains from Baudette and Williams, Minn. Filed by Canadian National Railways (No. 8), and Duluth, Winnipeg and Pacific Railway Company (No. 8), jointly for themselves and interested rail carriers. Rates on oats, rye, wheat and flaxseed, in carloads, from Baudette and Williams, Minn., to Duluth, Minneapolis, Minnesota Transfer, St.

Paul, Minn., and Superior, Wis.
Grounds for relief: Maintenance of through one factor rates from named origins to destinations beyond named destinations not depressed by same competitive conditions as rates to named destination.

Tariff: Supplement 46 to Canadian National Railways tariff I.C.C. W-658.

By the Commission.

HAROLD D. McCoy. [SEAL] Secretary.

[F.R. Doc. 61-1810; Filed, Mar. 1, 1961: 8:50 a.m.]

CUMULATIVE CODIFICATION GUIDE-MARCH

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Announcing

PRINCIPAL OFFICIALS IN THE **EXECUTIVE BRANCH**

Appointed January 20-February 20, 1961

A listing of more than 250 appointments of key officials made after January 20, 1961. Serves as a supplement to the 1960-61 edition of the U.S. Government Organization Manual

Price: 15 cents

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